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1973

# GRAND JURY

# REPORTS

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MEMBERS OF THE 1973 GRAND JURY  
IN AND FOR THE  
CITY AND COUNTY OF SAN FRANCISCO

Emil P. Appelman	Albert D. Levy
Lawrence M. Berrios	Samuel Martinez
Peter Cresci	Joseph C. Muscat
Mrs. Artie L. Deo (1973)	Albert Pollack
Sylvan C. Frank	John J. Rago
Thomas D. Harvey (1974)	David W. Sands (1973)
John R. Healy	Henry M. Sante (1974)
Stephen P. Lazzareschi	Mrs. Jean P. Sullivan
Irving S. Levin	Mrs. Eleanor L. West
Mrs. Laura G. Williams	

Mrs. Waunda M. Thomas, Secretary

James T. Rodman, Foreman

Impaneled January 17, 1973

Discharged June 30, 1974



LIST OF INTERIM AND SPECIAL REPORTS ISSUED BY THE  
1973 SAN FRANCISCO COUNTY GRAND JURY

<u>DATE</u>	<u>SUBJECT</u>
April 12, 1973	Interim Report on The County Jail at San Bruno
May 17, 1973	Interim Report on The San Francisco Unified School District
June 8, 1973	Interim Report on The San Francisco Unified School District
October 15, 1973	Special Report on Earthquake Resistant Schools

Note: Copies of these Reports are on file in The County Clerk's Office.



1973 SAN FRANCISCO COUNTY GRAND JURY

Honorable Clayton W. Horn  
Presiding Judge, Superior Court  
City and County of San Francisco  
San Francisco, California

Dear Judge Horn:

Precedent has established that the Foreman's letter of transmittal to the Presiding Judge may contain some appropriate comments and opinions on what the Jury has accomplished and what remains to be accomplished. It is difficult to be ex-officio on all the committees, attend their meetings, advise on their problems, and share their aspirations without forming some independent conclusions.

You will recall that this eighteen month Grand Jury has survived a lawsuit in the Superior Court. Having withstood the test of scrutiny, the Grand Jury set about the sensitive job of weighing evidence brought to us by the District Attorney. In most cases we voted indictments and in others we voted not to indict. We, as Grand Jurors, recognized the extraordinary power given to us (especially the power to compel testimony) and used it in a judicious manner. Never has any member of the District Attorney's office failed to ask witnesses questions which were requested by jurors, and the degree of professionalism exhibited by Mr. Giubbini and his staff is to be commended.

Separate and apart from our duties in the Court, we spent countless hours in the investigation of the inherent problems of our City government.

According to the Education Committee of the Grand Jury and the State Superintendent of Schools, our school system is in need of some assistance. Wracked by low achievement and a soaring budget, the school system may be one of the most troubled departments in the City. Infusions of millions of dollars by the federal government haven't solved the basic problems so prevalent in our schools. This money controlled by the state and federal government, has been the impetus for establishing a multiplicity of new programs. Part and parcel of these new programs is the establishment of a new bureaucracy to handle the budgeting, supervision and paperwork. Some of this bureaucracy is financed by federal funding and part appears on the local taxpayer's bill. The school system has teachers operating in this program who



don't face classes each day, administrators who rarely see children and spend their working hours swimming in a sea of paperwork. If this mass of money and people were really making an impact on the achievement of our students, one might close his eyes to the inherent evils of the system. This is not the case. The multiplicity of new programs has drained the classrooms of some of the most capable teachers thereby weakening the basic program of our school system.

The obvious result of all this is the disenchantment of the populace with our school system which manifests itself in the flight to the suburbs and an increased number of children in private and parochial schools.

Although the Board of Education is cognizant of the fact that the acceptance of Federal Funds results in less local control of our Public School System, we continue to accept the funding and accept the inevitable. The Federal Government now dictates the manner in which our schools are to be staffed, the persons upon which Federal Money may be spent, the area in which the money may be expended, etc. The list goes on and on. The Federal Government is now making decisions that should be reserved for an autonomous Board of Education. The citizens of San Francisco and the Commissioners that represent them are entitled to control the Public Schools in San Francisco and this entitlement diminishes in direct proportion to the amount of dollars we accept from the Federal Government.

Another problem that plagues the school system is the problem of Community Participation vs. Community Control. Incumbent in Federal Funding is the participation of the community on Advisory Committees to determine, within guidelines, how Federal Money will be allotted and expended. If it were possible to work with these Advisory Committees, the situation would be beneficial to all. This, however, is not the case. Some Advisory Committees feel that they are in a position to dictate terms to Central Office Administrators who are loathe to do battle with these boisterous members of Community Groups. Conversely, some Administrators (for whatever reason) do not give sufficient credence to the fact that Community Involvement in schools is a necessary and laudable fact of life. A meeting of the minds on what constitutes beneficial Community Involvement in schools has not been forthcoming. In speaking with my colleagues on the Education Committee one has the feeling that the committee felt that the community was trying to do the Teacher's job, and the Teachers were trying to do the community's job with the result that neither job was being done very satisfactorily.

When the citizens of San Francisco changed the manner in which Commissioners of Education were to be chosen, from appointive to elective, it was thought that the ballot was the vehicle which citizens would use to participate in school affairs. If the people are satisfied with the school system, the Commissioners are re-elected. If the community is unhappy with the manner in which the system functions, the community mandates a change in Commissioners. This type of Community Involvement is more effective than hurling invectives.



at one another at Board Meetings. There are, however, many regulars at each Board Meeting who consume countless hours of valuable time insulting individual board members. This is all done under the guise of free speech and citizen participation in the decision-making process.

While it is easy to determine that there are practices in our school system that need some attention, one should also look at those practices and programs that are designed to produce long range improvements. The district has expended more than one-half million dollars to develop new reading programs in our schools. The classes for the Gifted, and the money spent on Bilingual Education are also designed to improve the over-all performance of our students. High achieving high school students are afforded the opportunity for advanced placement courses and those students at Lowell High School have an exemplary record in this regard. In fact, all of our high schools offer this same opportunity to deserving students.

The addition of Para-professionals has given Teachers and Administrators the opportunity to offer more individual help to students who are in need of same. Para-professionals, if used and chosen wisely, can bridge the gap from academic failure to academic success for many of our students. The very fact that many of these Para-professionals are parents of children attending Public School helps to develop rapport between the school and the community.

The Education Auxiliary trains and sends scores of volunteers to schools that desire this type of assistance. These persons are not only extremely helpful but serve without any remuneration. This program should certainly be commended.

The Board of Education is making a conscious effort to improve the education process within our schools. No fair-minded person can determine otherwise.

It would appear essential that all San Franciscans need to actively support our system of Public Education lest it be destroyed by a group of self serving zealots. I am reasonably sure that all Teachers, Administrators, Parents, Commissioners and Students are prepared to return our schools to the eminent position of highly respected educational institutions; as opposed to complex transportation systems and forums for the uninformed and disenchanted.

Perhaps a reorganization of educational priorities, instead of another reorganization of the administrative staff at 135 Van Ness Avenue is in order.

While the public is wont to blame the problems of our school systems on Commissioners, Administrators and Teachers; let's examine the record of some of your colleagues. The infamous Weigel Decision, which has now been overturned, provided the guidelines for the integration plan in our Elementary Schools. After expending millions of dollars of taxpayers' money, the program has been unsuccessful in carrying out its basic tenet; that of integrating our schools.



Another of your contemporaries has now ruled that Kindergarten Children may no longer, during milk and cracker time, repeat from the State Music Series that infamous verse:

Thank you for the world so sweet,  
Thank you for the food we eat,  
Thank you for the birds that sing,  
Thank you God for everything.

Perhaps some of your contemporaries could, within the framework of accepted legal principles, render decisions which would be more favorable to the cause of education, and less favorable to the cause of destroying that which is in accord with the accepted principles of our way of life.

Whether or not one agrees with the wisdom of all of the Commissioners' decisions regarding the educational process, one has to admire their tenacity and willingness to serve the community. Other than the Board of Supervisors, there isn't a more time consuming, difficult commission to serve on. Not only do the Commissioners have to campaign for election, they must spend countless hours attending committee meetings, executive committee meetings, and regularly scheduled Board Meetings. The functions and responsibilities of making policy for an agency that consumes a budget in excess of 150 million dollars per year deserves adequate remuneration. An increased remuneration would serve the purpose of providing a more equitable compensation for a difficult, arduous and time consuming task.

Another of the reports of the present Grand Jury that has caused considerable consternation among our citizens is the report on the Hetch Hetchy Power System. Whether the recommendations in the report concerning the P.G. & E. are feasible or not is secondary to the main thrust of the report which deals with the legality of the entire operation. I am sure you will agree that the report cries out for an immediate reply. We will be calling on you to help us to solicit this' reply if it is not forthcoming within the framework of the Penal Code.

Our investigations have uncovered considerable evidence to support the conclusion that our city offices have a reservoir of talented executives and loyal hardworking employees. These employees perform admirably and faithfully under circumstances that, in some cases, are less than adequate. The public is wont to jump to the conclusion that because some departments are administered shabbily that all of the departments are administered in the same fashion. This is not the case

Our Board of Supervisors, in my opinion, is also deserving of a few words of praise for their efforts to make San Francisco an even more livable city. Each of the Supervisors (all representing different points of view) contributes to making that elected position among the most important and effective in the the City Hierarchy. They too, render decisions which are popular with some and unpopular with others. In most instances their combined efforts seem to be in the best interest of all of the citizenry.



In conclusion I wish to thank you, Judge Karesh and Mike Tamony for your support and guidance in what has been a difficult but rewarding term. Thanks should also be given to the members of the Jury for their patience, consideration, support and for the countless hours they have spent in carrying out their responsibilities.

Sincerely,

JAMES T. RODMAN  
Foreman, 1973 San Francisco County  
Grand Jury



## THE CALIFORNIA ACADEMY OF SCIENCES

The California Academy of Sciences is the oldest and most eminent natural history and scientific cultural center of the west. The Academy has been developing since the opening of North America Hall in 1916. Steinhart Aquarium was opened in 1923 and Simson African Hall in 1931. These were followed by the Science Museum, Morrison Planetarium, Malliard Library and finally, Cowell Hall in 1969. The Academy is a distinguished research institution recognized internationally for the quality of its staff and its scientific collections. Dr. George E. Lindsay, the Director of the Academy, Dr. Robert T. Orr, the Associate Director, and Dr. John Mc Cosker, Acting Superintendent of the Steinhart Aquarium, and their associates and staff are to be commended for their loyal and inspired contributions to the Academy and San Francisco.

Attention here is directed to the proposed development of a Hall of Man, a new entrance gallery off Middle Drive and a "Fish Roundabout." With construction and maintenance funded from private contributions, the Hall of Man would be a desirable addition to the educational and cultural facilities of the Academy. The addition would consume only 0.02 acres of open park land, the remainder coming from now existing service driveways and unsightly service areas. The improvements will conceal the service functions, with basement parking for staff cars, delivery and trash compacting facilities. All of the research departments need more space and this new building would accommodate this expansion and allow the Junior Academy more room for its growing membership.

A new entrance off Middle Drive would be constructed providing easier accessibility for the public. It would help relieve present bus and other vehicular traffic and parking in the concourse area of Golden Gate Park. The landscaping and planting will restore the park quality of the area.

The unique "Fish Roundabout" would be an additional attraction to those visiting the Academy. The "Roundabout" is a doughnut shaped display tank in which the viewing gallery is located in the center and the visitor views the schools of pelagic fish swimming by. Garage space under the "Roundabout" would house the Academy's four trucks.

The addition of a Hall of Man would increase the eminence and completeness of the Academy by including the missing element in the natural scheme of the world of man. It would also allow the opportunity to examine man as a part of the natural world, as well as apart from it.



THE CALIFORNIA ACADEMY OF SCIENCES (continued)

This Grand Jury Recommends:

- 1) The Board of Supervisors approve the Recreation and Park Commission's allocation of park land to the California Academy of Sciences for the proposed development of a Hall of Man, a "Fish Roundabout" and a new entrance gallery off Middle Drive.
- 2) The Municipal Railway review and improve the bus service to Golden Gate Park to enable the citizens of San Francisco and tourists to enjoy the park and facilities.

Emil P. Appelman

Sylvan C. Frank

Mrs. Eleanor L. West, Chairman



## DEPARTMENT OF PUBLIC HEALTH

### INTRODUCTION

The responsibility of the Department of Public Health of the City and County of San Francisco is to provide basic comprehensive health care services to the community. The inability of a patient to pay is not a barrier to obtaining needed medical care.

Under the directorship of Doctor Francis J. Curry, the Department of Public Health provides acute, chronic, mental, special diagnostic and treatment, preventive and public health services. Major divisions are: 1) Hospital Services, i.e., San Francisco General Hospital, Laguna Honda and Emergency Medical Services; 2) Community Mental Health Services, and 3) Community Public Health Services.

San Francisco General Hospital (S.F.G.H.) is the most expensive component of the medical care system. The rapid increase in hospital cost is a reflection of the increased complexity of equipment and services which must be offered to bring the accomplishments of science and medicine to its service. The following comments address themselves to reports, opinions, problems and observations with respect to the San Francisco General Hospital.

I. Accomplishments at S.F.G.H. for calendar year 1973, under the administration of C. Charles Monedero include the following:

1. An Audiometric Testing Chamber was installed.
2. O.E.D. grant Community Board was incorporated.
3. "Walk In" Service with a nurse triage system was opened and the capacity of Emergency Service was doubled.
4. A separate office for Utilization Review and Medical Care Evaluation Studies was opened.
5. New Medical Staff By-laws were presented for adoption.
6. A training coordinator was employed for an In-Service Training Program for all departments starting with department heads and supervisors.
7. A Civil Service Unit was established at the hospital, which will provide direct and speedy service to the hospital.
8. An Inpatient Prescription Service was established as versus current Ward Stock.
9. A Burn Unit was opened.
10. A work performance evaluation system for all employees was established.



DEPARTMENT OF PUBLIC HEALTH (continued)

11. A pilot program on centralized food service for hot meals for patients was started.
12. An adequate administrative organization with an Administrator, a Medical Director and five Assistant Administrators was established.

Approved Plans for the rest of the year:

1. Install new data collection system throughout the hospital.
2. Establish complete Employee Health Service.
3. Expand Medical Surgical Intensive Care Unit.
4. Establish budget and expense reporting for all departments on a monthly basis.
5. Install voice pocket pager system.

II. Accreditation of San Francisco General Hospital

The Joint Commission on Accreditation of Hospitals completed a three day survey on conditions at S.F.G.H. on October 5th of this year.

Major inadequacies in personnel, administration and emergency services caused S.F.G.H. to be placed on probation and given accreditation for only one year the past two years.

Mr. Charles Monedero, Administrator and Chief Executive Officer has indicated that all three major areas have been improved and feels confident that S.F.G.H. will receive a two year accreditation.

With S.F.G.H. as an accredited hospital, the citizens of San Francisco who use the hospital have at their disposal the University of California School of Medicine with its large contingent of medical professors, residents, interns and students. Many of these medical men and women are people who have come here to study and work because of the enviable reputation that U. C. Medical School has developed over the years. It has become a giant among teaching institutions and research centers and our citizens are among the first to benefit from their work. Further, with an accredited hospital status, S.F.G.H. is eligible for roughly \$15,000,000 of State and Federal Funds.

Staffing

There are approximately 2,000 City employees at S.F.G.H., in addition to the University of California employees, with approximately a 40% turnover in City employees yearly. The most significant step to remedy past problems with Civil Service has been the creation of a decentralized Civil Service personnel office at S.F.G.H. to



DEPARTMENT OF PUBLIC HEALTH (continued)

provide on-site procurement and screening of applicants under the joint control of Civil Service and the Department of Public Health. Most importantly this will eliminate the usual 10-30 day delay in replacement when a vacancy occurs, because all major paper work will be done at the hospital.

When vacancies occur within the hospital there must be an immediate one-for-one replacement with a qualified person. Some nurses are qualified in the care of the chronically ill and the aged, but totally unqualified to work in an acute Surgical Intensive Care Unit, or as a scrub nurse in Surgery. Failure to replace personnel immediately on a one-for-one basis results in lowering the quality of care. In no other City service is one-for-one replacement absolutely necessary to prevent loss of life.

We Recommend:

1. Cross-Training. Many hospitals have historically used a fixed staffing policy for allocating nursing personnel in which the daily demands in each ward are met by nurses who are permanently assigned to specific wards. In more recent years the concept of variable staffing has been proposed as a means of increasing manpower efficiency. A variable staffing policy is one which provides for staffing adjustments to meet the work load through the use of a common pool of cross-trained nurses.

2. Nursing Staff Assignments. Assignments should be made on the basis of inpatient needs. An on-going committee is needed to identify personnel needs and functions such as: uneven distribution of work loads, overlapping functions and assignments of all unit personnel, inappropriate use of time, existence of peak work loads, lack of supervision or supervisor contact, promotion of team work and cooperation and improvement of human relations within the group.

The actual number of positions funded in the budget is adequate to operate the General Hospital, provided that all positions are filled and filled permanently with properly qualified individuals.

III. Purchasing (Budget).

Line item versus program budget relative to the purchasing of materials, supplies and equipment is a problem peculiar to S.F.G.H. because there are rapid changes in modern medical and surgical equipment which often make an instrument or a machine obsolete or semiobsolete between the time it is requested in the budget and time it is ordered.

We recommend that the hospital be permitted to operate on a program budget system. If equipment becomes outmoded during the 10-12 months between the budget request and final approval with



DEPARTMENT OF PUBLIC HEALTH (continued)

funding, a request for a budget change order should be rapidly processed through the Board of Supervisors for any major item. Change orders for smaller items can usually be approved by the Controller.

IV. Medical Record Department

The 1972 survey of S.F.G.H. by the Joint Committee on Accreditation of Hospitals (JCAH) commented on the incomplete (sloppy) records. Statements reported to this Committee indicate improvement is still needed. For example, government programs have at times found it necessary to suspend payment due to failure of proper documentation. The audit of these records revealed that interns and residents are involved in professional patient care without adequate supervision.

We recommend that medical records be maintained in accordance with generally accepted principles, which include a full disclosure of care and treatment. We also recommend a review of job classifications within this department so that duties actually performed are more in line with job specifications. For example, the need for Medical Clerk Stenographers, Classification No. 1464, should be determined as opposed to Medical Clerk Transcribers. The latter position seems to be more economical and in line with the bulk of the department's needs.

V. Laundry Department

This relatively new facility costing in excess of \$5 million was opened in 1971. To date, inadequacies with some equipment still exist, such as, water leakage under the Roto-Matic Presser, water leaks over the apron of the sheet presser (mangle) and leakage from the bleach and detergent dispenser. Specifications indicated that the need for two bleach tanks to operate the washers is required for a facility of this size, but only one bleach tank was installed. This building does not have any emergency over-flow floor drainage that can accomodate the existing leaks or an emergency of water overflow from washers. One severe leak now is being accomodated by the use of a large drum in which a long hose is connected to carry the water to an outside drain. The general contractor has apparently been allowed to get off the hook without correcting the defects which seem to come within his contractual obligations.

We recommend that S.F.G.H. be provided with its own Maintenance Department and that funds be appropriated to correct the problems that have existed in the laundry and power plant since the day the contractor signed off this project. A Maintenance Department would insure that the new hospital which is scheduled to open in November of 1974 will be maintained at all times efficiently, economically and esthetically.



DEPARTMENT OF PUBLIC HEALTH (continued)

VI. San Francisco General Hospital as a Community Hospital

In 1970 the Board of Supervisors appointed a San Francisco General Hospital Study Committee and subsidiary Nominating Council. Nearly a year later the Board of Supervisors enacted Resolution #417.71 which directs the Coordinating Council to address itself to the problems of S.F.G.H. In June of 1971, the U.S. Department of Health, Education and Welfare provided \$12,415 to cover a fifteen month period. On March 26, 1973 the Council documented the report with a final plan to transform S.F.G.H. into a Community Hospital.

In view of the imminence of a National Health Program which should make first rate care financially available to the medically deprived, this Committee agrees with the Council that S.F.G.H. should have: 1) An administration frame-work similar to a traditional community hospital that is responsive to the community it serves; 2) An excellent medical staff open to qualified community physicians who may treat their patients at the hospital; and 3) A meaningful citizen participation in the government of the hospital.

VII. Patient's Bill of Rights

The American Hospital Association's twelve point "Patient's Bill of Rights" should be adopted. According to this document, incoming patients would be advised they have a right to: respectful care; current information about their diagnoses, treatment and progress (unless medically inadvisable); information necessary to give informed consent prior to any treatment or procedure; refusal of treatment to the extent permitted by State law; privacy concerning the patient's case and confidentiality of medical records; reasonable hospital responses to patients's request for services; information about relations between the hospital and other institutions and about professional relationships among those treating the patient; refusal to be experimented with; reasonable continuity of care; an explanation of the hospital bill regardless of the source of payment; and information about hospital rules that apply to the conduct of the patient. A copy of this should be given to all patients upon admission, or someone should be available to explain these rights.

Grievance Procedure

A grievance procedure should be established and maintained by which an aggrieved patient may be assured of a fair and prompt hearing on any properly submitted grievance.

VIII. Transfer of the Offices of the Department of Public Health

We recommend that most of the offices of the Department of Public Health be transferred from 101 Grove Street to the new hospital. This was also recommended by the 1972 Grand Jury.



DEPARTMENT OF PUBLIC HEALTH (continued)

Summary of Recommendations

1. Cross-train nursing staff; review staff requirements.
2. Use program budget system.
3. Improve Medical Record Department.
4. Correct the structural deficiencies (leaks, etc.) in the laundry department.
5. That the hospital be responsive to community needs and participation.
6. Adopt Patient's Bill of Rights and grievance procedures.
7. Hire a Hearing/Reviewing Liaison Officer for grievances of personnel.
8. Provide 24 hour parking facility for staff and visitors for a nominal fee.
9. Transfer most of the offices of the Department of Public Health from 101 Grove Street to the new S.F.G.H.

Stephen P. Lazzareschi

Mrs. Artie L. Deo, Chairman



## CHIEF ADMINISTRATIVE OFFICER

The Chief Administrative Officer is responsible for the efficient operation of eight departments which employ approximately 7,000 persons under an annual budget in excess of \$121.7 million. The largest departments under his supervision are the Public Health and Public Works Departments. Others are the Departments of Agriculture and Weights and Measures, Electricity, Finance and Records, Purchasing Real Estate and the Coroner.

Appointed by the Mayor, with the approval of the Board of Supervisors, the Chief Administrative Officer must have been a resident of California for five years. His tenure is until retirement age but he is subject to suspension by the Mayor and can be removed by the Board of Supervisors for official misconduct. He is also subject to popular recall.

The influence of the Chief Administrative Officer affects the lives and homes of all San Franciscans. A few of the matters under his jurisdiction are the construction and maintenance of public streets, the operation and servicing of the sewer system and sewage treatment plants, the operation of San Francisco General Hospital and all emergency hospitals and the purchase of supplies for all City and County departments plus the school systems. Other matters under his jurisdiction are inspections of foodstuffs and housing, elections, the recording of births, marriages, deaths and property transactions, the maintenance of police and fire alarms and radio systems, as well as the checking of weighing and measuring devices and the issuance of many types of licenses and permits. Other Grand Jury Committees will report directly and individually on the various departments under his administration.

San Francisco is indeed fortunate to have as its Chief Administrative Officer Thomas J. Mellon, a man possessed with a degree of administrative excellence worthy of the utmost in praise and commendation. This is further emphasized by the fact that he has been privileged with tenure beyond normal retirement age.

This committee also wishes to commend Mr. Thomas G. Miller, Executive Assistant to the Chief Administrative Officer, on his excellent performance and for his sincere and capable effort to efficiently serve his office.

A previous Grand Jury Committee requested that the Chief Administrative Officer analyze the feasibility of acquiring the Metropolitan Life Insurance Building for additional administrative office space. The analysis which has been conducted indicates that it would not be a good investment since the building would be too expensive to remodel, the location is poor and parking would be most



CHIEF ADMINISTRATIVE OFFICER (continued)

difficult.

It is suggested and recommended by this committee that the Yerba Buena Center be given special attention and started as soon as possible for the future benefits it would bring to San Franciscans. The employment which it would provide for semi-skilled and skilled workers, particularly those of minority races, would be most helpful to the City and County and to business in general.

Good growth has been reported in hotel tax revenues. A larger portion is now being directed to the Convention and Visitors Bureau which will be helpful in competing with other cities for tourist and convention revenue.

CORONER

The Coroner is a county officer acting under the authority of the California Government Code and the Health and Safety Code. Specific laws define his powers and vest in him the right and duty to investigate certain classes of deaths. His position is closely associated with police, physicians, hospital house staff, morticians and ambulance attendants.

It is the duty of anyone having knowledge of any death of a certain type to report the same to the Coroner. This applies to physicians, hospital house officers, morticians, embalmers, ambulance attendants, police officers and nurses as well as any other person. The Coroner will decide whether there should be a full investigation into the nature and cause of death.

Examples of deaths required to be reported are as follows: Homicide, suicide, accident-injury, deaths where no physician is in attendance, deaths during the continued absence of the physician, poisoning, occupational deaths, all deaths of unidentified persons.

Dr. Boyd G. Stephens received a temporary appointment to the position of Coroner in September, 1971, and served in an excellent manner until June, 1973, when he was ordered to report to Oak Knoll Naval Hospital to complete military service, from which he had received a deferrment. His status now is permanent civil service and he is expected to return to work not later than two years from the time of his departure. It is possible that he may return sooner if an early release from military service is granted.

The present acting Coroner, Ervin J. Jindrich, M.D., is on limited tenure. He is a pathologist, board certified in anatomic



CORONER (continued)

and clinical pathology. He is considered to be outstanding in his performance and it is expected that he will serve as Coroner until the return of Dr. Stephens.

In some instances the Coroner's Office is far behind in the type of equipment used. Certain units purchased ten years ago are no longer adequate for today's methods of diagnosing and interpreting the causes of tissue changes due to disease and/or accident. This is particularly true of the Toxicology Department where dependence must be placed on the facilities of a private laboratory.

Increased use of drugs, especially in combination, have made more frequent and extensive toxicologic examinations necessary. Again, this trend points to the need to improve the capabilities of the Toxicology Laboratory.

This Committee is in agreement with a recommendation made by the Coroner that the name of the department be changed to "The Office of the Chief Medical Examiner -- Coroner" and that the office be headed by a physician specializing in pathology who will devote a major portion of his time to the medical, technical, educational and research aspects of the office. This person would be Dr. Stephens the present Coroner. It is also recommended that his suggestion to establish a position of "Administrative Coroner" be adopted and that the building housing the Coroner's Office be referred to as the "Forensic Sciences Building" due to the fact that it is a multi-service department.

DEPARTMENT OF ELECTRICITY

The Department of Electricity is comprised of five divisions, namely, Electrical, Mechanical, Radio, Fire Alarm Operations, Accounting and Administration. It operates under the efficient management of General Manager Burton H. Dougherty, a highly capable man with life-time experience in communications.

At the present time the department is operating under a budget of about 1.9 million dollars with approximately 119 budgeted permanent positions of various types. Recently it became necessary to request six additional staff members due to expansion in all phases of the department particularly in the field of Radio Communications. This addition to staff is urgent at this time.

Continuing progress is being made in the installation, maintenance and repair of all radio communications equipment owned and operated by the City and County of San Francisco. New and advanced systems requiring much study and preparation are continually being developed



DEPARTMENT OF ELECTRICITY (continued)

and implemented as rapidly as possible.

The 1972 Grand Jury recommended that the name of the department be changed to the Department of Communications due to the fact that its primary responsibility is in the area of communications. While a change of name may be made in the future, it would appear to be premature at this time because all communications are not presently under the authority of this department.

The 1972 Grand Jury also recommended that the department be given authority to implement the "911" emergency telephone system. Excellent progress is being made by an Ad Hoc planning committee organized by Mr. Dougherty, who is chairman of the committee. To meet time limits established by Assembly Bill 515 it will be necessary for this committee to be provided with either a minimum staff or the services of a consulting firm to consolidate input information. This Grand Jury recommends that the staff and/or the consultant be provided when needed.

Sylvan C. Frank

John R. Healy, Chairman



## RECREATION AND PARK DEPARTMENT

The San Francisco Recreation and Park Department, under the direction of Mr. Joseph Caverly, General Manager, is one of the better administered agencies of the City government. Many of its facilities, including Golden Gate Park, Coit Tower, the Palace of Fine Arts, and the San Francisco Zoo serve not only residents but are among the City's most famous tourist attractions.

Among the Department's other facilities are the 120 neighborhood parks and squares, including 78 supervised playgrounds, the mini-park system, seven indoor and three outdoor swimming pools, Yacht Harbor, six golf courses, the Lake Merced recreation complex, and Candlestick Park Stadium. A total of 895 persons are employed by the Department.

### Recreation Division Reorganization

The Department's Recreation Division has adopted a decentralized program system within the last year. This new approach, called the Satellite System, is intended to increase community participation in the development of local recreation programs. Thirteen major recreation centers function as Satellite headquarters under the supervision of a senior recreation director. This individual coordinates the staff of smaller neighborhood recreation facilities. The Grand Jury notes that the Recreation Division is proceeding to establish district advisory council to further the work of the Satellite System.

Following the recommendations of the "Plan for Action", which has been favorably commented on by the last two Grand Juries, a major reorganization of the Recreation Division has been achieved. Two additional Assistant Superintendents of Recreation were established. The Department now is able to concentrate more effectively on its athletic and cultural activities as well as neighborhood programs.

### Special Funds

Two Special Funds derived from Recreation and Park Department operations have been established by the Board of Supervisors. The first is reserved for upgrading the golf courses, including irrigation systems and grounds rehabilitation. Based on the formula adopted by the Board and present levels of golf revenue, it is anticipated that the golf course funds will receive \$150,000 annually. The establishment of this fund was specifically recommended by last year's Grand Jury. While San Francisco possesses three of the most beautiful sites for 18 hole golf courses (Harding, Lincoln and Sharps



## RECREATION AND PARK DEPARTMENT (continued)

Park) the courses are in sub-standard condition. Many of the tee areas, the fairways and the greens in all three of the courses leave a great deal to be desired. The 5th hole at Sharps Park is in the most disgraceful condition imaginable. It is difficult to believe that with the available staff that these courses need to remain in disrepair. To lull ourselves into thinking that Municipal Courses need to be in sub-standard condition is to reason fallaciously. One needs only to look at the Municipal Courses in San Jose, Palo Alto and Alameda County to realize that quality maintenance is available to Municipal Golf Courses.

One needs only to sit at the tee area of the second hole at Harding for a few hours in the afternoon to realize how many of our citizens sneak onto the course without paying. These persons are not only teens and pre-teens, but adults who park their late model foreign cars in the parking lot and walk across the 9th fairway directly to the tee area for the second hole. The same is true (at different holes) at Sharps Park and Lincoln. If a plainclothes policeman could be assigned one day a week for two or three hours this situation may be remedied. The prices at the courses are very competitive (with special rates for residents and senior citizens) and to tolerate these despicable cheats is unthinkable.

While the quality and integrity of the starters is at a high level, it appears that somehow the same foursomes are able to secure the most desirable starting times. We hope this is by accident rather than design and we intend to discover which is the case.

The concessionaire at Harding Golf Course who operates the restaurant should be immediately advised as to standards of cleanliness. The tables remain unclean for hours at a time and the floor appears to have been cleaned at least once this year. The \$150,000 previously mentioned will have to be significantly increased if our golf courses are ever to reach their potential.

A similar fund derived from miscellaneous concession revenue was created. For the first time in the history of the Recreation and Park Department, there is now an assured source of funding for long overdue rehabilitation and capital improvements. The Grand Jury compliments both the Board of Supervisors and the Department for their wisdom in channeling some Recreation and Park Department revenues into facility improvements.

### Revenue Sharing

The Recreation and Park Department received much needed funding from Revenue Sharing during this fiscal year, which will be used in purchasing new equipment, power tools, and other mechanization aids. Emphasis was also placed on upgrading facilities. The allocation of these revenue sharing monies makes possible many of the modernization recommendations contained in the "Plan for Action".



RECREATION AND PARK DEPARTMENT (continued)

San Francisco Zoological Gardens

The San Francisco Zoo is one of the City's greatest assets. It attracts visitors from all over the Nation. During the past years the Zoo has been troubled with inadequate financial support. Deferred maintenance was reflected in many areas, including the need to rehabilitate cages and paint buildings. Since establishing the Zoo admission fee progress has been achieved. A much needed new Animal Hospital and Zoo kitchen facilities are under construction. A full-time Zoologist and Veterinarian have been employed. The Zoo Advisory Committee that was appointed by the General Manager has made impressive progress for developing a San Francisco philosophy of Zoo management. It is anticipated that the Committee's statement of goals and objectives for the Zoo will be available for public discussion in the near future. The Grand Jury encourages the Department to further strengthen its working relationship with the San Francisco Zoological Society, which since its founding has played a major role in financing Zoo improvements.

The Grand Jury makes the following recommendations regarding the Zoo:

1. Working with both the Zoological Society and the Zoo Advisory Committee the Recreation Department should upgrade the Zoo Master Plan. The Grand Jury recommends this step since such a plan will involve a program of rehabilitation and recommended capital improvements.

2. The Animal Purchase and Exchange Fund as recommended by last year's Grand Jury has been established. We recommend that the Board of Supervisors delete the one-year limitation placed on this fund. If the Special Fund is allowed to elapse, money from the sale of Zoo animals will revert to the General Fund, and will not be available to the Department for animal purchases.

3. The Department should attempt to provide increased police patrols at the Zoo. This may be done either in cooperation with the San Francisco Police Department or through the addition of Park Patrolmen whose presence would deter vandals.

The Grand Jury notes with approval that the newly appointed Zoo Director has already taken steps to implement the following:

1. Improved protection of the animal collection and Zoo keepers by regular program of immunization and inoculation.

2. Improved training program for Zoo staff.

3. Acceptance of responsibility for the conduct of groups visiting the Zoo by adults in charge.



RECREATION AND PARK DEPARTMENT (continued)

In conclusion, the Grand Jury would like to compliment the Commission, the Department and the Zoological Society for the progress made in Zoo operations during the past year. The continued operation of the Zoo under the jurisdiction of the Recreation and Park Commission is in the best interest of San Francisco. However, the goal of a great Zoo cannot be realized without a continuation of the cooperative spirit demonstrated by all those individuals and groups interested in the Zoo.

Epilogue

As this report demonstrates, the Commission and Management of the Recreation and Park Department is making real progress in serving the needs of San Francisco. We encourage the Friends of Recreation and Parks to continue to expand their program of assisting the Department. The Friends "Adopt-a-Park" Program with the assistance of the San Francisco Chamber of Commerce has great potential and should be pursued vigorously. It is the Grand Jury's belief that San Francisco based corporations and businesses have an obligation to help upgrade the City's quality of life. We especially commend the Koshland children for the generous gift of a new park site in honor of their father, Daniel Koshland. The Recreation and Park Commission is commended for its farsighted vision in attempting to incorporate some of the shoreline properties under its jurisdiction into the Golden Gate National Recreation Area.

Mrs. Artie L. Deo

John R. Healy

Irving S. Levin, Chairman



## ANIMAL CONTROL CENTER

Animal Control services for the City and County of San Francisco are provided by the San Francisco Society for the Prevention of Cruelty to Animals. These services include taking in stray animals, providing them with food and shelter, returning them to their owners, placing them in new homes or humane disposal when necessary.

For the past two years the Society has been furnishing these services to the City and County of San Francisco for \$12,000 a month. The Society is presently under contract with the City at a sum of \$35,023 per month. The additional amount is to cover increased activity, manpower, equipment and public education to enforce the newly established animal control Ordinance effective September 1, 1973.

Under the new contract, in addition to the services outlined above, the Society will provide citation enforcement, leash law enforcement and house-to-house dog license solicitation. It is estimated that enough revenue will be realized from dog licenses and citation fines to cover this function.

These new functions are now being implemented. Seven men are currently canvassing door-to-door for dog licenses and four men are being trained as animal handlers. Citation forms are being printed and are expected to be in use after January 1, 1974.

At the present time the Grand Jury is deferring evaluation and recommendations until the new program has had adequate field testing. An interim report will follow in May or June of 1974.

The Grand Jury would like to commend Mr. Charles W. Friedrichs, Executive Vice President of the S.P.C.A. for his untiring efforts to improve animal control in the City and County of San Francisco.

Emil P. Appelman

Sylvan C. Frank

Mrs. Eleanor L. West, Chariman



## REAL ESTATE DEPARTMENT

The function of the Real Estate Department is the management of properties owned, leased, purchased and sold by the City and County of San Francisco.

These functions are applicable to properties within the City and County of San Francisco. In addition the department handles various properties in other counties within the State of California. Other functions the department performs are:

- 1) Granting of rights of way and easements.
- 2) Reviewing the needs of other departments as to necessary space in order that they may function properly.
- 3) Disposing of properties considered surplus.

This Committee has met with the Director of Property and his staff in order to discuss various problems faced by the department, and also to determine if the recommendations of the 1972 Grand Jury have been instituted. While we were pleased to learn that some of the recommendations have been made operational, we find that the Real Property Inventory Book, prepared by the Real Estate Department does not provide a more accurate description of street addresses and locations and amounts of income. The Annual Report of the Real Estate Department to the Mayor, lists various rental properties with names, however, in some cases addresses and areas are not included. The Annual Revenue Report should be more explicit.

Other recommendations of previous Grand Juries have not been implemented for the following reasons:

- 1) Sufficient, qualified personnel have not been provided.
- 2) The system of inter-departmental work orders needs to be revised in order that the Real Estate Department can operate at maximum efficiency.

The City rents approximately 91,590 square feet of available office space at a cost of \$349,020 per year. Ideally these rentals should be terminated and almost without exception all City offices should be housed within City-owned buildings located in the Civic Center area. The expansion of existing departments and the creation of new departments has prompted an urgent need for additional space. The necessity of locating City offices in available space has caused some



## REAL ESTATE DEPARTMENT (Continued)

departments to become decentralized. This has resulted in a loss of time, money and operational efficiency.

### RECOMMENDATIONS

This Real Estate Committee recommends:

- 1) That the Real Estate Department staff problem should be reviewed and consideration be given to budgeting for adequate staff personnel eliminating the present inter-departmental work order system.
- 2) That the relationship between the Real Estate Department and other departments having Real Estate personnel be maintained in its present form.
- 3) Due to the decentralization of departments servicing the City and County of San Francisco consideration should be given to the construction of a new Administration and Courthouse Building which would be located on the former Commerce High School Athletic Field.

In 1969 a survey was taken as to the cost of building a new Administration and Courthouse Building. Since then the cost for such a project has increased 43%, the longer the City waits the higher the cost will be. Attached to this report as Exhibit No. 1 is an update to the 1969 Survey Report prepared by the Bureau of Architecture, which gives preliminary estimates on the costs of a Courthouse, an underground parking garage, remodeling of the City Hall for an Administration Building and a School District Administration Building.

Samuel Martinez

Peter Cresci, Chairman



Exhibit No. 1

COST ESTIMATES

The Bureau of Architecture has prepared preliminary estimates on the costs of each of the four projects. It should be emphasized that these are preliminary estimates, subject to modification when more detailed plans and specifications have been made. The original estimate prepared July 1969 has been up-dated to reflect 43% inflation to June 1973.

<u>A. Courthouse</u>	<u>Square Feet</u>
1. Areas	
a. Superior Court	93,112
b. Municipal Court	37,495
c. County Clerk	14,000
d. Sheriff	4,100
e. Public Administrator	5,400
f. Law Library	29,400
g. Cafeteria	8,000
h. Storage	<u>13,000</u>
Net Area (65%)	204,507
Service, circulation, walls, etc. (35%)	<u>110,193</u>
Gross Area	314,700
2. Estimate	
a. Construction 314,700 sq. ft. at \$57.20 per sq. ft.	\$18,000,000
b. Architectural and Engineering, 6%	1,080,000
c. Inspection, testing, soils, reports, surveys, administration, 3%	540,000
d. Furnishings and equipment, 5%	900,000
e. Art Work, 2% of \$18,000,000	<u>360,000</u>
	\$20,880,000



B. Underground Parking Garage

1. Areas

- a. Site area - 275 ft. by 384.8 ft. = 105,806 sq. ft.
- b. Required per car 422 sq. ft.
- c. Each sub-basement floor will park 250 cars
- d. Two floors - 500 cars
- e. Cost per sq. ft. - \$21.45
- f. Construction - 211,600 sq. ft. - \$4,540,000  
Based on costs for Civic Center Garage, updated to June 1973.

2. Cost Estimate

a. Construction	\$4,540,000
b. Architecture and Engineering, 6%	272,000
c. Inspection, testing, surveys, administration, 3%	136,000
d. Art Work, 2% of 4,540,000	<u>90,000</u>
	\$5,038,000

C. Remodeling City Hall for Administration Building

- 1. The following is based on the EBS Report which indicated that all City Administrative offices to Year 2000 can be accommodated at City Hall, except Redevelopment, EOC and Housing Authority. EBS estimate for reconstruction in June 1967 was 339,745 sq. ft. at \$17.25 = \$5,860,000. Inflation from June 1967 to June 1973 has been 67%.

2. Estimate

a. Construction	\$ 9,800,000
\$5,860,000 plus 67% inflation	
b. Air Conditioning	2,440,000
c. Architecture and Engineering, 12%	1,468,000
d. Inspection, testing, surveys, administration, 4%	490,000
e. Furnishing and equipment, 5%	<u>610,000</u>
	\$14,808,000



D. School District Administration Building

1. Administration Building

It is assumed that the School District will need 200,000 sq. ft. of the building to house the administrative staff and functions.

2. Estimate

a. Construction 200,000 sq. ft. at \$50.00 per sq.ft.	\$10,000,000
b. Architecture and engineering, 6%	600,000
c. Administration, inspection, testing, surveys, etc. 3%	300,000
d. Art Work (2% of \$10,000,000)	200,000
e. Equipment and furnishings, 5%	<u>500,000</u>
	\$11,600,000

E. Summary

1. Courthouse Building	\$20,880,000
2. Underground Parking Garage	5,038,000
3. City Hall Remodeling	14,808,000
4. School District Administration Bldg.	<u>11,600,000</u>
TOTAL	\$52,326,000

F. Explanatory Notes

1. All costs have been calculated as of June 1973. Inflationary costs of 8 - 10% per year must be added for inflation to date of award of contract, when actual dates have been established.
2. Moving costs, and temporary construction, if needed, have not been calculated because data is not available at this time.



## SAN FRANCISCO WATER DEPARTMENT

San Francisco was originally provided water by a number of private companies and some areas of the City still utilize water delivery pipes installed by these companies over 100 years ago. One of these, the Spring Valley Water Company, by an aggressive acquisition program acquired control of the other companies as well as extensive water rights in Alameda, San Mateo and Santa Clara Counties.

However, the water requirements of the San Francisco region were greatly in excess of the capability of the Spring Valley Water Company to supply these needs, a fact made painfully clear in the Fire of 1906.

The City therefore applied for its own water rights in the high Sierra. It chose the watershed of the Tuolumne River which is fed by the annual run-off of an eternal glacier. To tap this vast water resource required the damming of the river and flooding of an historically beautiful valley in Yosemite National Park.

There was great opposition to this plan which was formulated in the first decade of this century. On the one hand were the conservation and environmentalist groups who opposed what they considered was a desecration of the Hetch Hetchy Valley. On the other hand were the Spring Valley Water Company and other interests which felt it would not be to their advantage should San Francisco acquire these water rights.

In the end, a compromise was struck. Congress in 1913 passed the Raker Act (named after California Congressman John E. Raker).

The Raker Act granted to San Francisco water and power rights in Yosemite National Park and Stanislaus National Forest but on the express condition in Section 6 of the Act that San Francisco was "prohibited from ever selling or letting to any corporation or individual, except a municipality or a municipal water district or irrigation district, the right to sell or sublet the water . . . sold or given to it or him by (San Francisco)." In other words, San Franicsco was permitted to have this water and to use it and sell it to consumers as long as it did not do so through middlemen who would take "a piece of the action." The bargain struck was that the water of Yosemite which was owned by the Government should be delivered to the citizens at minimum cost. In return the Government would acquiesce to the infringement on Yosemite's natural glory.

As most San Franciscans know, the great Hetch Hetchy system of dams and tunnels was then built-completely financed by the City



SAN FRANCISCO WATER DEPARTMENT (continued)

of San Francisco. By the early 1930's these facilities were capable of delivering mountain pure water to the Bay Area and, faithful to the constricts of the dictates of the Raker Act, San Francisco acquired the operations of the Spring Valley Water Company for \$41 million, so that it could deliver water directly to its citizens through the distribution system of Spring Valley.

Today the Water Department, as successor to the Spring Valley Water Company, and with the benefits of the Hetch Hetchy water, supplies water to some one and one-half million people in the Bay Area. Hetch Hetchy water is supplied to San Francisco and Municipal water districts in Alameda, San Mateo and Santa Clara Counties. Water from the former Spring Valley properties (not restricted by the Raker Act) is supplied to California Water Service Company for San Mateo, Redwood City, Menlo Park and other Peninsula cities.

The operations of the Water Department are entirely self-supporting, paying from revenues the cost of all operations, maintenance, improvements, taxes, bond interest and redemption.

During the fiscal year ended June 30, 1973 the Water Department paid property taxes to other counties as follows: Alameda - \$720,424, Santa Clara - \$172,524, and San Mateo - \$669,237.

During the same period the Water Department delivered 40% of its metered quantities of water to San Francisco for 52% of its revenue and 60% of its water to suburban areas for 48% of its revenue. We are advised that suburban areas receive cheaper water since it is sold on a wholesale basis to these communities' own distribution systems. However, water is supplied to City residents at rates cheaper than those in effect when San Francisco acquired Spring Valley Water Company more than 40 years ago.

Metered water supplied to the City in 1972 included 3,172.3 million gallons supplied free to municipal non-pay accounts having a value of some one and one-half million dollars. In short, the San Francisco Water Department is a utility of major size in the United States, supplying a public service to a considerable population and achieving this result through its own revenues without Federal or State subsidy.

The Water Department is the only City Agency which participates in the Joint Apprenticeship Program.

The Water Department also utilizes the Compliance Officer of the Public Utilities Commission to enforce regulations concerning non discriminatory hiring and the employment of City residents.



SAN FRANCISCO WATER DEPARTMENT (continued)

GENERAL OBSERVATIONS

Above all, the Grand Jury was impressed with the esprit de corps of the Water Department. Safety of the men is of great concern to management. In return, there appears to be a mutual respect of management and staff, a sense of "working together for the company" albeit a department of the City, a not universally found attribute among City employees. It is suspected that the open lines of communication play not a small part in this sense of common interests and responsibilities.

RECOMMENDATIONS

It is axiomatic that any well run operation must maintain its system and replace worn out plant. The Municipal Railway is a good example of failure to keep a system up to par.

The Water Department generates its own funds for additions, betterments and reconstruction and replacement projects. No tax dollars are involved.

An unseemly battle developed this year when the Water Department requested authorization to spend \$3.6 million of its funds for these purposes (less than the annual depreciation of its properties if calculated on a replacement cost basis). The Supervisors deleted this entire budget item in an attempt to force the Water Department to pay ransom by transfer of funds to the City's general fund to artificially lower the tax rate. (The Board of Supervisors are well versed in this type of transaction having knowingly funded the Muni for only 10 of 12 months in fiscal 1972 to keep taxes down in an election year, with the result that no maintenance whatever was performed during the last half of the fiscal year--with foreseeable results.)

Fortunately, the Public Utilities Commission this year refused to transfer the Water Department's funds, being supported in this action by the City Attorney.

It is absolutely necessary that the Water Department spend sufficient funds to maintain its system in good order. The City is laced with 1200 miles of water mains and General Manager Arthur H. Frye, Jr. has begun a modest plan to replace them at only two miles per year, obviously a 600 year project. Mr. Frye correctly points out that "Driving maintenance costs up because of obsolete and broken down equipment is a poor way of preserving a business which, in actuality is a great publicly owned utility."

Mr. Frye is backed up in this matter by Public Utilities Assistant Manager for Finances, John M. Christensen, Jr. who succinctly referred to the difficulties of the Muni and stated that



SAN FRANCISCO WATER DEPARTMENT (continued)

it was mandatory to take early steps to prevent similar catastrophies from occurring to the Water Department by diverting funds necessary for the maintenance of the system.

A proper water supply is essential to the good health of the City both physically and economically. Our investigation of the Water Department indicates a prudent and judicious use of funds, even to the purchase of used surplus federal equipment. The Department has also made efficient use of modern data processing facilities.

The Grand Jury commends the Water Department as a well run municipal utility with efficient management and a high degree of morale which stands out as a shining example for other City agencies.

As pointed out earlier, the Water Department pays substantial property taxes to Peninsula Counties while selling them the bulk of its water at favorable rates. The Grand Jury deplores the size of these taxes and suggests that rates to Peninsula users be increased so that they, and not the citizens of San Francisco, bear the full burden of these costs.

In addition to supplying free water to other City Departments, the Water Department has consistently added to its landscaped areas without any increase in its gardener force since 1947 despite an acreage increase of 2 and 1/2 times in the same period. Additional help, requested by the Department, should be granted for this environmentally beneficial activity.

HETCH HETCHY WATER AND POWER SYSTEM

ENERGY CRISIS \* POWER SHORTAGES \* HIGHER COSTS

These are headlines that are familiar to San Franciscans and to citizens across the country.

According to Pacific Gas & Electric Company's vice-president, Joseph Y. DeYoung, "If sufficient quantities of oil cannot be obtained in a timely manner, we could face brownout or blackout in 1974."<sup>1</sup> So far this year PG&E has increased electricity prices three times based on increased costs of fuel used to generate electricity

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<sup>1</sup> S.F. Chronicle, Oct. 13, 1973



## HETCH HETCHY WATER AND POWER SYSTEM (continued)

and has pending before the California Public Utilities Commission a fourth request for price increases.<sup>2</sup> The President has asked for Emergency Powers to deal with the energy crisis.<sup>3</sup>

The City and County of San Francisco has for years had an energy crisis, but of quite a different character. San Francisco is confronted with the problem of disposing of the electrical power which it generates at its own hydroelectric powerhouses.<sup>4</sup>

Power is generated by different means--by burning natural gas or oil in thermal plants, by extracting the energy locked in uranium in nuclear plants, by harnessing the energy of steam geysers or, most simply and inexpensively by using the gravitational power of falling water to drive generators (hydro power). Power generated by fuels implies a drain on natural resources and resultant pollution, but hydroelectric energy is the essence of conservation.<sup>5</sup>

San Francisco produces vast quantities of hydro power and owns transmission systems to the Bay Area. Yet San Francisco "disposes" of its power elsewhere than to its citizens.

This year's Grand Jury Report focuses on such disposal, its questionable legality, and the resultant loss of millions of dollars of the taxpayers money annually.

### BACKGROUND

While many San Franciscans are aware that the City owns the water and electrical power generation facilities of Hetch Hetchy and its transmission system for water and power from the Sierras to the Bay Area, most persons are unaware of the historical background by which these facilities were acquired and the Enabling Act of Congress upon which the legal framework of the City's ownership and operation of Hetch Hetchy rests.

Hetch Hetchy is in Yosemite National Park. It was a beautiful valley through which flowed the Tuolumne River and was long sought by private interests for the purpose of damming the river and generating electrical power. But being in Yosemite National Park, Hetch Hetchy was in the public domain and not susceptible to acquisition by private interests.

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2. S.F. Examiner, Oct. 2, 1973

3. S.F. Chronicle, November 8, 1973

4. San Francisco Water and Power, Sept. 1967, p34

5. Hetch Hetchy and its Dam Railroad, Ted Wurm, 1973, p191



## HETCH HETCHY WATER AND POWER SYSTEM (continued)

On December 19, 1913 the Raker Act was passed by Congress after long and heated debate.<sup>6</sup> It granted certain federal land and rights to San Francisco in Yosemite National Park and Stanislaus National Forest, upon the condition that the water and power to be obtained from the contemplated project would be sold by the City directly to its inhabitants. The Act was the culmination of persistent efforts on the part of San Franciscans to assure themselves of adequate water and low rate electricity for their growing city.

The City, however, still does not sell or distribute its power to San Franciscans, despite the provisions of the Raker Act and Section 3.599 of the City Charter which states "it is the declared purpose and intention of the people of the City and County, when public interest and necessity demand, that public utilities shall be gradually acquired and ultimately owned by the City and County."<sup>7</sup>

This failure to distribute power as contemplated by the Raker Act has over the years been the subject of considerable dispute. Litigation concerning such inaction on the part of the City has gone all the way to the Supreme Court of the United States.

When Hetch Hetchy power was first available it was disposed of through facilities of PG&E. In 1923 after proper hearings, it was determined by the Secretary of the Interior that such energy was being sold to PG&E in violation of the provisions of the Raker Act.<sup>7</sup>

To avoid further violation of the law, San Francisco entered into a contract with PG&E in 1925 whereby arrangements were made for PG&E to distribute the City's energy on its behalf. This contract was an attempt to set up an agency agreement which would comply with the terms of the Raker Act which provides that "The said grantee (the City) shall develop and use hydroelectric power for the use of its people"<sup>8</sup> and that "the grantee is prohibited from selling or letting to any corporation or individual, except a municipality or a municipal water district or irrigation district, the right to sell or sublet the water or the electrical energy owned or given to it or him by the said grantee: provided, That the rights hereby granted shall not be sold, assigned or transferred to any private person, corporation, or association, and in case of any attempt to so sell, assign, transfer or convey, this grant shall revert to the Government of the United States."<sup>9</sup>

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6. Public Law 41, 63rd Congress

7. United States v City and County of San Francisco 23 Fed Supp 40,43 (1938)

8. Raker Act, Sec 9 (m)

9. Raker Act, Sec 6



## HETCH HETCHY WATER AND POWER SYSTEM (continued)

In 1934 the Secretary of the Interior again investigated to determine whether San Francisco was complying with its obligations under the Raker Act and concluded that the Act was again being violated.<sup>10</sup> The United States brought suit in a litigation which ultimately reached the Supreme Court of the United States where, in 1940, the Court held that "Congress clearly intended to require-as a condition of its grant-sale and distribution of Hetch Hetchy power exclusively by San Francisco and municipal agencies directly to consumers in the belief that consumers would thus be afforded power at cheap rates in competition with private power companies, particularly Pacific Gas and Electric Company."<sup>11</sup> An injunction was issued directing the City to cease its disposal of electric power through PG&E or be restrained from using the rights granted by the Raker Act for the generation and transmission of such power.

The Supreme Court in its decision finding that the City violated the terms of the Raker Act stated "Mere words and ingenuity of contractual expression, whatever their effect between the parties, cannot by description make permissible a course of conduct forbidden by law. When we look behind the word description of the arrangements between the City and the power Company to what was actually done, we see that the City has - contrary to the terms of Sec. 6 - abdicated its control over the sale and ultimate distribution of Hetch Hetchy power."<sup>12</sup>

Mr. Dion R. Holm of the City Attorney's Office acted for the City in defense of its actions, which were condemned by the Supreme Court.<sup>13</sup> Mr. Holm also acted unsuccessfully for the City in defense of the City's attempt to be relieved of other obligations imposed by the Raker Act by payment of \$1,250,000 to the United States.<sup>14</sup> Hetch Hetchy honored Mr. Holm for his services on its behalf by renaming the largest powerhouse on the Hetch Hetchy System the "Dion R. Holm Powerhouse."<sup>15</sup>

The Supreme Court decision upheld the injunction "directing the City to cease its present disposal of electric power or be restrained from using the rights granted by the Raker Act for the generation and transmission of such power."<sup>16</sup> But the enforcement of the injunction "was postponed from time to time until the City could find a way to dispose of its power."<sup>17</sup>

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10. U.S. v City and County of S.F. 23 Fed Supp 40,44 (1938)

11. U.S. v City and County of S.F. 310 U.S. 16,26 (1940)

12. Id. p28

13. Id. p17, U.S. v S.F. 23 Fed Supp 40,42

14. U.S. v City and County of S.F. 112 Fed Supp 451, 452 (1953)

15. San Francisco Water and Power, Sept. 1967, p34

16. U.S. v City and County of S.F. 23 Fed Supp 40,53 (1938)

17. PG&E of Calif., Charles Coleman, Copyright 1952 by Pacific Gas and Electric Co., p323 (hereafter "PG&E Company History")



## HETCH HETCHY WATER AND POWER SYSTEM (continued)

Beaten in the Courts, efforts were then concentrated on amendment of the Raker Act. At this point, President Roosevelt had something to say, writing that the Act had been passed and the project developed upon definite assurances that the benefits it conferred "would not be alienated from the people to private interests--For more than a generation this condition to the grant, agreed to by San Francisco, when it accepted the privilege of developing a water supply and source of hydro-electric power in a national park, has been violated and the people of San Francisco have not received the benefits that Congress expected them to get."<sup>18</sup>

Then World War II saved the City. It was able to legally dispose of its power to a large defense plant. However, when the plant closed in late 1944, the United States gave the City six months to comply with the Raker Act and the Court decisions. In 1945 San Francisco negotiated new contracts for disposal of Hetch Hetchy power. These contracts, with the Modesto and Turlock Irrigation Districts for sale of power and with PG&E for "wheeling" Hetch Hetchy power were submitted for approval to the Interior Department of a subsequent administration.<sup>19</sup> As in the case of the 1925 Agreement with PG&E, the arrangements were approved. But as the Supreme Court said with respect to the 1925 Agreement with PG&E, "We are asked to accept these administrative interpretations. And in addition the City suggests that conduct of the Department, of which these interpretations were a part, is sufficient to create an estoppel against the Government...We cannot accept the contention that administrative rulings - such as those here relied on - can thwart the plain purpose of a valid law. As to estoppel, it is enough to repeat that the United States is neither bound nor estopped by acts of its officers or agents in entering into an arrangement or agreement to do or cause to be done what the law does not sanction or permit."<sup>20</sup>

### PRESENT HETCH HETCHY CONTRACTS

#### I - MAIN CONTRACT WITH PG&E

On March 14, 1945 San Francisco made a new agreement with PG&E. This agreement is sometimes described as a "wheeling contract".<sup>21</sup> Actually, the title of the Contract is "AGREEMENT

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18 Hetch Hetchy and its Dam Railroad, p266

19 Hetch Hetchy and its Dam Railroad, p270

20 U.S. v City and County of S.F. 310 U.S. 16,31,32 (1940)

21 Hetch Hetchy Water and Power System Annual Report Fiscal Year 1971 - 1972, p19; Annual Report Fiscal Year 1972-1973, p23



HETCH HETCHY WATER AND POWER SYSTEM (continued)

BETWEEN CITY AND COUNTY OF SAN FRANCISCO AND PACIFIC GAS AND ELECTRIC COMPANY FOR DISPOSAL OF HETCH HETCHY POWER".<sup>22</sup> This "Main Contract" bears the approval of the same Dion R. Holm who defended (unsuccessfully) the City's 1925 Contract with PG&E.<sup>23</sup>

The City maintains that "Electric energy supplied to municipal departments is generated on the Hetch Hetchy power system and delivered to various service points by transmission and distribution facilities of Pacific Gas And Electric Company under a wheeling contract".<sup>24</sup>

In fact, this description glosses over the fact that what actually occurs is a pooling or exchange of power. Hetch Hetchy power is received into the PG&E system at Newark for credit and PG&E delivers an equivalent amount of power to the City for the prices stated in the Main Contract, with excess power delivered to PG&E by the City being given a credit at a specified price.<sup>25</sup> The PG&E Company History recognizes that "wheeling" means delivering power over company lines and receiving the equivalent elsewhere.<sup>26</sup> This does not mean that the power that is delivered is the same as received. "Wheeling" merely describes accounting entries, not what actually occurs.

The transaction might be easier to describe by reference to a pooling of different colored water. If Hetch Hetchy Power was blue water delivered to a PG&E system of yellow water the resultant color of the pooled water would be green. Each customer would receive green water which would be a combination of Hetch Hetchy blue and PG&E yellow. In the same way, Hetch Hetchy electricity does not carry blue flags which enable it to be directed only for City uses. Rather, it is pooled with PG&E power, the result of which is that a combination of Hetch Hetchy and PG&E power is both delivered to City utilities and sold to consumers by PG&E in violation of the strictures of the Paker Act. The Court as long ago as 1938 recognized the "disposal under a pooling arrangement must necessarily contain numerous elements usually found in sales contracts."<sup>27</sup>

The City has more than one contract with PG&E for disposal of its power. In addition to the Main Contract, the City and PG&E

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- 22. Agreement between City and County of San Francisco and Pacific Gas and Electric Company for Disposal of Hetch Hetchy Power dated March 14, 1945, pl (hereafter "Main Contract")
  - 23. Main Contract, pl4
  - 24. See footnote 21
  - 25. Main Contract, p3-5,8,9
  - 26. PG&E Company History, p328
  - 27. U.S. v City and County of S.F. 23 Fed Supp. 40,52 (1938)



HETCH HETCHY WATER AND POWER SYSTEM (continued)

also entered a contract dated April 18, 1945 entitled "AGREEMENT OF LEASE AND FOR SUPPLY OF SUPPLEMENTAL POWER FOR CEMENT AND MAGNESIUM PLANTS"<sup>28</sup> together with two assignments of the same date relating to PG&E's contracts to supply electric energy to such plants.<sup>29</sup> Under this Assigned PG&E Customers' Contract, PG&E undertook to lease two transmission lines from the Newark Substation where Hetch Hatchy lines interconnect with PG&E to each of such plants. This contract provides for a fixed monthly rental for the transmission lines. It also provides for supplemental power to be sold by PG&E to the City above that provided by Hetch Hatchy, the rates being different for each plant and apparently based on differing load factors.<sup>30</sup>

In contrast to the fixed charge provisions for transmitting power and energy contained in the Assigned PG&E Customers' Contract, the Main Contract provides in paragraph 4 that for various classes of service the City will deliver to PG&E various specified excesses of power in order to make up for line losses,<sup>31</sup> but then in paragraph 8 goes on to provide various charges per kilowatt hour depending on the class of service.<sup>32</sup> Since in paragraph 4 the City has already made up for line losses by supplying excess power, the variable rates charged for transmission in paragraph 8 appear to be related to the load factor of the various classes of service. In other words, in contrast to fixed charges provided for leasing PG&E transmission lines in the Assigned PG&E Customers' Contract the charges in the Main Contract appear to track PG&E's practice of varying rates per kilowatt hour for sales of its power depending on the load factor of its user. This is reinforced by the fact that credit given for excess power and energy supplied by the City is on a fixed basis, rather than being related to the load factor usage of its municipal departments.<sup>33</sup> Moreover, in what appears to be an attempt at confusion of the casual reader, the charges in the Main Contract for transmission are stated as decimal portions of a cent per kilowatt hour, i.e., .6421 cents per kilowatt hour for street lighting<sup>34</sup> while credits allowed the City are stated in mills per kilowatt hour i.e., 2.9 mills.<sup>35</sup> For perfect clarity one would have thought the respective charges would have either been expressed in decimal portions of a cent (.6421 cents, .2900 cents) or in mills

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- 28. AGREEMENT OF LEASE AND FOR SUPPLY OF SUPPLEMENTAL POWER FOR CEMENT AND MAGNESIUM PLANTS, April 18, 1945, p1 (hereafter "Assigned PG&E Customers' Contract")
  - 29. Assigned PG&E Customers' Contract, p1
  - 30. Assigned PG&E Customers' Contract, p3,4. This Contract has been modified from time to time-most recently April 10, 1973-but the basic concept of a fixed charge for the leased transmission lines has been retained from 1945 to date.
  - 31. Main Contract pp4,5
  - 32. Main Contract pp7,8
  - 33. Main Contract pp5,9
  - 34. Main Contract p8
  - 35. Main Contract p9



## HETCH HETCHY WATER AND POWER SYSTEM (continued)

(6.421 mills, 2.9 mills), a mill being a tenth of a cent. Theoretically, if PG&E was merely transmitting power and energy over PG&E lines directly from Newark to the City Departments, once the City had furnished extra power for line losses one would think that no provision need be made for excess power furnished by the City or different classes of municipal users. But what PG&E sells to residents of San Francisco and delivers to San Francisco Municipal users is in part Hetch Hetchy power and in part PG&E power because of the pooling arrangement above described.<sup>36</sup>

This conclusion is further reinforced by the so called "energy banking arrangement" established by Agreement with PG&E dated August 1, 1960 and continued this year.<sup>37</sup> This arrangement has been set forth most recently in a letter proposal from PG&E adopted by the Public Utilities Commission on April 10, 1973 and states, in full text, "If, in any month, the City delivers to PG&E energy in excess of the amount required for its own municipal purposes and for its customers, a quantity equivalent to such excess deliveries may be applied to reduce any deficiency of energy that the City may experience during the ensuing eleven months."<sup>38</sup>

There are no gigantic storage batteries where such power is stored. PG&E simply sells it to its own customers and replaces it with equivalent power at a later date upon call by the City, without interest.

After a careful review of the Main Contract with PG&E for disposal of Hetch Hetchy Power and the energy banking arrangement with the same party, we must come to the reluctant conclusion that these agreements, as was the case for the 1925 and 1923 agreements with PG&E, violate the provisions of the Raker Act and that the City is in jeopardy of losing its Hetch Hetchy power rights under Section 6 of the Raker Act.

### II - INDUSTRIAL CONSUMERS

Since the City has declined to distribute power to its citizens despite the provisions of the Raker Act, it has chosen to dispose of this power to other users. For this purpose, it has chosen certain industrial users and the Modesto and Turlock Irrigation Districts. This portion of the report reviews the arrangements with industrial users.

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36. See also U.S. v S.F. 23 Fed Supp 40,50 (1938) where this phenomenon is also discussed.

37. Public Utilities Resolution No. 73-0133, April 10, 1973

38. PG&E letter proposal adopted April 19, 1973 by Public Utilities Commission, p2



HETCH HETCHY WATER AND POWER SYSTEM (continued)

These industrial users in recent years were five in number but have now been reduced to two. We do not intend to discuss the contracts which are no longer in existence, since whatever the propriety of these arrangements they are now as much past history as the 1925 contracts.

PG&E had entered into contracts with these industrial users on July 2, 1941 and November 11, 1944, or well prior to the Main Contract between the City and PG&E.<sup>39</sup> The arrangements by which the City "sold" its power to such industrial users followed a similar pattern up to 1973, with the now familiar approval by Dion R. Holm for the City Attorney.<sup>40</sup> The desire of the City to dispose of its power to the industrial users arose out of the disapproval of the Supreme Court with its previous arrangements with PG&E.

The general pattern followed was that PG&E would make a contract with an industrial user, on PG&E's standard terms and then by side letter assign the contract to the City. By 1964 a pattern had developed so that PG&E did not even request the City's acceptance of the assignment as had been the case for previous side letters.<sup>41</sup>

It is very difficult for us to discern the difference between this situation where PG&E sold power in its own name to industrial users and immediately turned around and "assigned" such contracts to San Francisco from the situation under the 1925 Contracts declared illegal by the Supreme Court. In each case it would appear that PG&E has been given the "right to sell" Hetch Hetchy power in violation of Section 6 of the Raker Act.

Evidently recognizing this problem, the City, PG&E and the industrial users entered into tripartite contracts for the first time on April 10, 1973.<sup>42</sup> But the 1973 Industrial Contracts are largely cosmetic in form and refer back to 1967 and 1964 Agreements as governing the supply of electrical service and in each case provide that PG&E warrants the performance of the City and that the industrial user "shall suffer no detriment whatsoever with respect to character and amount, continuity or cost of electrical service, or otherwise by reason of the Agreement."<sup>43</sup>

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- 39. Assigned PG&E Customers' Contract, pl
  - 40. Assigned PG&E Customers' Contract, p6; Letter proposal of PG&E, Nov. 20, 1952, p3; Letter proposal of PG&E, Nov. 22, 1957, p3.
  - 41. Assigned PG&E Customers' Contract, pl; PG&E Letter of Nov. 16, 1949; PG&E Letter of Nov. 20, 1952; PG&E Letter of Nov. 22, 1957; PG&E Letter of June 2, 1964; PG&E Letter of June 12, 1964; PG&E Letter of October 24, 1967.
  - 42. Substantially identical contracts each dated April 10, 1973 among PG&E, the City and the Industrial users. (Herein "1973 Industrial Contracts")
  - 43. 1973 Industrial Contracts, p5



## HETCH HETCHY WATER AND POWER SYSTEM (continued)

Again, as the Supreme Court of the United States said, "When we look behind the word description of the arrangement between the City and power Company to what was actually done, we see that the City has-contrary to the terms of Section 6-abdicated its control over the sale and ultimate distribution of Hetch Hatchy Power."<sup>44</sup>

### III - MODESTO AND TURLOCK IRRIGATION DISTRICTS

The great dumping ground for disposal of the City's power is the sale to the Modesto and Turlock Irrigation Districts. The Raker Act requires certain limited sales of electrical energy to these districts after the City satisfies its requirements for actual municipal purposes which in this case are narrowed to exclude "sale to private persons or corporations."<sup>45</sup> But such required sales are limited to the "use of any landowner or owners therein for pumping subsurface water for drainage or irrigation, or for the actual municipal public purposes of said municipalities (within the irrigation districts) but such actual municipal purposes are again narrowed to exclude sale to private persons or corporations."<sup>46</sup> In other words, the priorities established for Hetch Hatchy power are San Francisco public purposes other than commercial sales, then Irrigation District pumping and public purposes other than commercial sales, "after which it (the City) may dispose of any excess electrical energy for commercial purposes" so long as this is not done through "any corporation or individual."<sup>47</sup>

San Francisco has chosen to make the bulk of its commercial sales to Turlock and Modesto rather than "for the use of its people"<sup>48</sup> as commanded by the Raker Act. It is the people of Turlock and Modesto who have the use of the City's power.

It is very clear that an irrigation district's main purpose is to develop, preserve and conserve water for the beneficial use of the inhabitants of the district and that in exercising the ancillary right to distribute and sell electrical energy, both within and without its boundaries, the district is engaged in a purely proprietary enterprise additional to and not necessary for irrigation purposes.<sup>49</sup>

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44. U.S. v. City and County of S.F. 310, U.S.16,23 (1940)

45. Raker Act, Sec. 9 (1)

46. Id.

47. Raker Act, Sec 6, 9 (1)

48. Raker Act, Sec 9 (m)

49. City of Modesto v Modesto Irrigation District 34 CA 3d 504, 507



## HETCH HETCHY WATER AND POWER SYSTEM (continued)

In 1972, according to Hetch Hetchy's own records, it supplied 340,252,000 kilowatt hours of energy to Modesto and 407,516,000 kilowatt hours to Turlock, or 252% of the 495,292,071 kilowatt hours of Hetch Hetchy power "wheeled" to the City.<sup>50</sup>

Such arrangements have been very profitable for the Districts. According to the Annual Report of Turlock Irrigation District for 1972, the 407,516,000 kilowatt hours purchased from the City constituted 67% of its total available electrical energy.<sup>51</sup> Although San Francisco billed Turlock \$2,485,029 for the energy purchased from the City,<sup>52</sup> Turlock had net operation income of \$2,179,010<sup>53</sup> for its electrical system (after deduction of cost of purchased power, production of power, transmission, distribution, depreciation, etc.) which it utilized to pay bond interest on its own generating facilities at Don Pedro, reduce debt and add to its property.<sup>54</sup> Modesto's Annual Report has similar results. It had retail sales of 867,000,000 kilowatt hours in 1972<sup>55</sup> and purchased 840,252,000 kilowatt hours from the City.<sup>56</sup> Modesto had sufficient net operating income in 1972 to permit it to transfer \$1,106,620 from the Electric Department to the Irrigation Department.<sup>57</sup>

The current contracts with Turlock and Modesto were entered into on November 6, 1972 in the case of Turlock<sup>58</sup> and May 22, 1973 in the case of Modesto.<sup>59</sup> Both contracts are substantially similar in nature. In both contracts the City agrees to sell Hetch Hetchy power at a fixed rate schedule until July 31, 1975 and at an increased fixed rate schedule for the entire period from August 1, 1975 through June 30, 1985. There are no provisions for escalation during this ten year period.<sup>60</sup>

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- 50. Hetch Hetchy Power System, Generation and Load Data, Form A run date 08-02-73
  - 51. Turlock Irrigation District, Eighty-Fourth Annual Report, 1972, p12
  - 52. Hetch Hetchy Power System, Generation and Load Data 1972
  - 53. Turlock Annual Report, 1972, p11
  - 54. Turlock Annual Report, 1972, p11
  - 55. Modesto Irrigation District, 1972 (pages not numbered)
  - 56. Hetch Hetchy Power System, Generation and Load Data 1972
  - 57. Modesto Irrigation District, 1972
  - 58. Agreement between the City and County of San Francisco and The Turlock Irrigation District for Sale and Purchase of Electric Power, 1972, p16 (hereafter the "1972 Turlock Contract")
  - 59. Agreement between the City and County of San Francisco and the Modesto Irrigation District for the sale and purchase of Electric Power, 1973, p15 (hereafter the "1973 Modesto Contract")
  - 60. 1972 Turlock Contract, p7,8; 1973 Modesto Contract, p6,7



## HETCH HETCHY WATER AND POWER SYSTEM (continued)

The City also agrees to purchase power from other sources and sell it to Modesto and Turlock at PG&E rates.<sup>61</sup>

Hetch Hatchy Power is defined in the 1972 Turlock Contract as "power generated by City's generating plants in excess of the quantity required for pumping City's water supply and for City's actual municipal public purposes and which is made available to Turlock under the terms of this agreement."<sup>62</sup> The identical definition is used in the 1973 Modesto Contract.<sup>63</sup> There is no exclusion from the definition of the City's "actual municipal public purposes" of sales of electrical energy for commercial purposes and in fact it was well known that the City was making such sales at the time of these contracts under the Assigned PG&E Customers' Contract and the 1973 Industrial Contracts and to both Turlock and Modesto as well as to a multiplicity of end users at the San Francisco Airport. Moreover, the Contracts make a distinct reference to the types of use by Turlock and Modesto where they define Class 1 power as that for "actual municipal public purposes" of Turlock or Modesto and municipalities within such Districts but specifically exclude by definition from such purposes "sale to private persons or corporations" and then define Class 3 power as being all other power.<sup>64</sup> Class 1 power is sold at a lower rate than Class 3 power and is intended to satisfy the City's obligations under the Raker Act.<sup>65</sup>

We therefore conclude that to the extent that San Francisco does not utilize its power or make direct sales to others, the City has contracted to sell dump power to Modesto and Turlock and Turlock and Modesto have a right to purchase it, but at rates fixed until 1985. But we also conclude that San Francisco remains free to sell such power to its people, as an "actual municipal public purpose" so long as it makes such sale directly and does not delegate to others the "right to sell" in contravention of Section 6 of the Raker Act.

### IV - BRING OUR POWER HOME!

Whatever the good intentions which might have inspired the Rube Goldberg-like arrangements cited above to dispose of San Francisco's power, the time has now come to bring our power home.

Two generations have passed since the enactment of the Raker Act in 1913.

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61. 1972 Turlock Contract p2,8; 1973 Modesto Contract p2,7

62. 1972 Turlock Contract p2

63. 1973 Modesto Contract p2

64. 1972 Turlock Contract p2; 1973 Modesto Contract p2

65. Raker Act, Sec 9 (1)



## HETCH HETCHY WATER AND POWER SYTTEM (continued)

In the '30's the efforts of that generation succeeded in a momentous decision of the United States Supreme Court on April 22, 1940. But war and turmoil prevented the realization of the victory.

Now, a generation later, in the midst of a world-wide energy shortage we must realize what the far-seeing Congress of 1913 intended--that San Francisco "develop and use hydroelectric power for the use of its people."<sup>66</sup>

The Congressional debates over the Raker Act clearly show that it was the purpose of that Act for San Francisco "to supply its own inhabitants first".<sup>67</sup> The Supreme Court of the United States states bluntly "Congress clearly intended to require-as a condition of its grant-sale and distribution of Hetch Hetchy power exclusively by San Francisco and municipal agencies directly to consumers in the belief that consumers would thus be afforded power at cheap rates in competition with private power companies, particularly, Pacific Gas & Electric Company".<sup>68</sup>

In more recent times, our own Mayor has endorsed the development of the Geysers in favor of municipal utilization.<sup>69</sup>

We must now honor these noble intentions and BRING OUR POWER HOME!

### V - RECOMMENDATIONS

This Grand Jury prefacing its recommendations by stating that we are not public power advocates. We do not propose taking over PG&E's electrical generating facilities or PG&E's gas distribution facilities. In fact, we advocate the continued purchase of power from PG&E to supplement our Hetch Hetchy Power.

But, by the same token, we must have a right to utilize the power that our expenditures have made possible. We must put the "glass slipper" on the foot of our Cinderella power from Hetch Hetchy.

This glass slipper - the link that will make everything fit - is the acquisition of a distribution system that will permit the City to distribute its own power to its own citizens in conformity with the Raker Act.

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66. Raker Act, Sec 9 (1)

67. U.S. v City and County of San Francisco, 1940, 310 U.S. 16, 22

68. Id. p26

69. S.F. Examiner, Nov. 13, 1973



## HETCH HETCHY WATER AND POWER SYSTEM (continued)

After careful thought and much research, we recommend the following:

1. San Francisco should immediately lease (not purchase) the electrical distribution system of PG&E in the City as well as transmission lines linking up to those of the City at Newark. The annual rental should be PG&E's company-wide rate of return applied to the "rate base" for these facilities. (The rate base is the value of these facilities established by PG&E with the Public Utilities Commission of California for the purpose of setting PG&E's charges to consumers, it is not the assessed value for tax purposes.) A rental providing PG&E its expected company-wide rate of return on its rate base should be eminently fair to the Company while at the same time should cost consumers no more than they are already paying for these facilities. We have suggested initial leasing rather than purchase or condemnation in order to avoid delays which might result from valuations of PG&E's property. Further, as an added incentive to PG&E to make these arrangements, we suggest that if PG&E acts immediately to enter into such a lease, the City should be prepared to waive any claims it might have against PG&E for past practices. Precedent for this leasing arrangement between the City and PG&E is established by the City's lease of PG&E's Newark Magnesium Line No. 104 together with switching and metering facilities and the lease of PG&E's substation, transmission lines and metering facilities to the Cement Company, one of the Assigned PG&E customers.<sup>70</sup> There is also precedent in the Municipal Railway take-over of the Market Street Railway Company where the City took over the Market Street operative properties, made a down payment of 27% and paid the remainder out of earnings.<sup>71</sup> We see no reason for an expensive feasibility study prior to the leasing arrangements since it is apparent that the electrical distribution is carried on in a satisfactory manner to PG&E (which is, after all, a profit-motivated company) and the rate base and PG&E's overall rate of return are objectively established benchmarks which have been reviewed by the State Public Utilities Commission. The lease should be terminable from time to time as to those portions of the assets which San Francisco purchases or replaces. The City Charter already provides that persons employed in the operating service of any public utility acquired by lease shall be continued in their respective positions and shall be entitled to all the benefits of civil service and if the City permanently acquires such utility such persons shall be permanently appointed to the civil service.<sup>72</sup>

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70. Agreement of Lease and for Supply of Supplemental Power for Cement and Magnesium Plants, April 18, 1945, p3

71. Charter of City and County of San Francisco, Sec 119.1-5 (a) (prior to Recodification)

72. Charter of City and County of San Francisco, Sec 8.300(e) (as Recodified) Sec 125.1 prior to Recodification



HETCH HETCHY WATER AND POWER SYSTEM (continued)

2. During this lease period, the City should evaluate the assets which it wishes to acquire. We recommend that these assets include the transmission lines from Newark, switchyards, substations, stepdown transformers, circuit breakers, relays and related equipment plus the underground distribution system only. These assets could be acquired on a basis of Reproduction Cost New Less Depreciation (RCNLD). While the above ground distribution system should be leased, these poles are ancient and unsightly and should not be purchased on a RCNLD basis (which would vastly over-value them) but rather should be replaced over the ten year program recommended later in this report. We do not see any real justification for "Severance Costs" (which are losses suffered by the owner of a utility when a portion of its system is removed) since PG&E's Hunters Point and Potrero generating plants would continue to sell almost all their generating capacity to San Francisco and the other facilities of PG&E in the City (gas, office buildings) would not be affected.

3. There have been previous attempts at a general obligation bond issue to purchase PG&E's distribution facilities, the last being in 1941 just before World War II,<sup>73</sup> just as there were numerous attempts to pass general obligation bonds to obtain funds to upgrade the Municipal Railway. However, necessity is the mother of invention. Under the auspices of Mayor Alioto, a brilliant plan was developed for the Muni to purchase the new equipment which it so badly needed. This was the formation of the San Francisco Municipal Railway Improvement Corporation, a non-profit, non-stock corporation which issues tax free revenue bonds, the proceeds of which are utilized to purchase equipment which is then leased to the Municipal Railway. These revenue bonds do not constitute a debt, liability or obligation of the City and County of San Francisco and the Improvement Corporation has no power to levy or collect taxes.<sup>74</sup> Since the bonds are tax-free, they can be sold at a considerably lower interest rate than is the case for a private utility. Again, there is ample precedent in the acquisition of the Market Street Railway by the Muni in that the balance of the purchase price was to come from earnings and not be a general obligation of the City or payable from property taxes.<sup>75</sup> We recommend that Hetch Hetchy follow the example of the Muni and establish a Hetch Hetchy Power Distribution Corporation which, after determination of the fair value of PG&E's property to be acquired by the City as proposed above, would issue its revenue bonds to

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73. Hetch Hetchy and its Dam Railroad, p266

74. Prospectus, San Francisco Municipal Railway Improvement Corporation (Lease Rental) Series A Bonds, March 25, 1969, pl.

75. Charter of City and County of San Francisco, Sec 119.1-6  
(prior to Recodification)



HETCH HETCHY WATER AND POWER SYSTEM (continued)

acquire such property and lease it to the City following the successful guidelines already worked out for the Muni by the splendid finance staff of the Public Utilities Commission.

4. We recommend that a ten year program be immediately established to underground all of the electric distribution system now above ground. The present power poles and wire are ancient eyesores and at the present pace of undergrounding it will take 125 years for the job to be completed. One of the attractions of the suburbs is the absence of this forest of leafless poles and wires. The lease with PG&E on the above ground distribution system should be terminated as to each area when the City completed the new underground facilities and the new facilities would then be leased to the City by the Hetch Hetchy Power Distribution Corporation. The old poles could then be taken down and, if desired, trees could be planted in their place. Funds for this undergrounding would come from tax free revenue bonds issued by the Development Corporation.

5. Hetch Hetchy power now disposed of outside the City should be fed into the City over the municipally leased or owned system. In order that this changeover will not be too traumatic to San Francisco's present customers it would probably be desirable to have a transition period during which sales to such customers are decreased gradually while a similar load build-up takes place in the City.

6. During this transition period and afterwards (since Hetch Hetchy power will supply only about 45% of San Francisco's energy needs) the City should continue to purchase power from PG&E. The Company's Hunters Point and Potrero generating plants have sufficient capacity to provide the City's remaining energy needs with perhaps some small reserve capacity remaining. Thus all of San Francisco's power needs could be satisfied by a combination of Hetch Hetchy power plus purchased power from PG&E's San Francisco generating plants. The Supreme Court of the United States held early this year that a public utility violated the anti-trust laws by refusing to wholesale electric energy to certain municipal power systems.<sup>76</sup> Hence we do not see any particular difficulty about continued supply of PG&E power at wholesale rates from Potrero and Hunters Point generating stations.

7. City employees now presently engaged in reading water meters can also read electric meters. The PUC computer used for billing for water can also be used for electricity. In fact, it is quite probable that the City would issue a combined water and electricity bill thereby reducing overall billing and collection costs.

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76. S.F. Chronicle, Feb. 23, 1973



## HETCH HETCHY WATER AND POWER SYSTEM (continued)

### VI - CONCLUSION

1. The acquisition by the City of its own electric distribution system is the only way San Francisco can fully utilize for its own purposes the electrical power produced by its great Hetch Hetchy system. This is NOT a case of the City acquiring power rights. We have had them for two generations. It is time that the citizens should realize the full benefits of this enormous resource of energy which we own.

2. Acquisition of PG&E's present facilities should be kept to a minimum. Only those distribution facilities actually needed should be purchased - and this should exclude the above ground wooden power pole system. PG&E should keep its Hunters Point and Potrero electrical generating plants, its gas storage and distribution facilities, its buildings and all other property.

3. In 1930, in order to distribute Hetch Hetchy water to its people, the City purchased the properties of the Spring Valley Water Company, which had previously distributed water in San Francisco. The system came under municipal operation on March 2, 1930 with 450 operating employees of Spring Valley transferred to City civil service lists. It is true that there was opposition to that acquisition. The CHRONICLE warned that "no better service is expected" because politics would conquer, while PG&E's PROGRESS wrote about "Public Ownership's Back Seat Driver" (meaning politics).<sup>77</sup> Yet after 43 years of operation by the City an almost incredible achievement has been attained - water rates today are less than they were under Spring Valley.<sup>78</sup> On the other hand, a Grand Juror's PG&E bill which was \$15.59 in October 1968 is now \$24.71 - same house. We are confident that the outstanding staff of Hetch Hetchy under the capable leadership of Oral L. Moore, General Manager, will produce comparable results to that of the Water Department.

Undergrounding the electrical system would not only beautify the City but would also vastly assist fire protection. Too often firemen have been hampered in their efforts to fight fires by the presence of overhead wires with "hot" lines which all too often have fallen on firemen and their equipment.<sup>79</sup> Undergrounding the

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77. Hetch Hetchy and its Dam Railroad, p229

78. Schedule of Water Rates Effective Sept. 1, 1921; San Francisco Rates Schedule for Water Service Effective Dec. 1, 1934; San Francisco Water Department, Public Utilities Commission, Rate Schedules for Water Service, June 1, 1970.

79. S.F. Chronicle, March 27, 1973, pp12,13.



HETCH HETCHY WATER AND POWER SYSTEM (continued)

electrical distribution system will also utilize the services of the many construction workers whose jobs might be in jeopardy following the completion of the BART facilities in San Francisco. Furthermore, the nature of the undergrounding work will require not only skilled craftsmen but also unskilled workers who could be drawn from temporarily disadvantaged youth groups who now have a difficult time finding employment. Such jobs would in effect take such youth "off the streets and onto the sidewalks".

5. Finally, the funds which the City would pay for PG&E's distribution facilities will assist the Company in obtaining needed funds. According to PG&E, for the three year period 1973-75 it will have to pay \$1.8 billion for new facilities systemwide, of which \$1.3 billion will have to be borrowed.<sup>80</sup>

Irving S. Levin

Albert Pollack

Jean P. Sullivan, Chairman

80. S.F. Chronicle, Aug. 31, 1973, pl



### ASSESSOR

The Assessor is an elected county officer. The Assessor's Office operates under the provisions of the Constitution and the Revenue and Taxation Code of the State of California and the rules and regulations of the State Board of Equalization.

The Assessor must accomplish a general system of assessment administration and in furtherance thereof, locate, list, and value all taxable property (and non-taxable public property) in the City and County of San Francisco. He must determine the full cash value (market value) of such property and apply a percentage ratio to reach the assessed valuation thereof. A concomitant responsibility is that assessed valuations between comparable properties be made equal.

The San Francisco Assessor's Office has been recognized as instituting and maintaining one of the pioneer and foremost electronic data processing operations in the United States. All real property, personal property, possessory interests, claims and exemptions procedures are stored and processed electronically with daily updating.

Determining the full cash value is the major responsibility of the Assessor. An objective analysis leads to the conclusion that as a basis for full cash value it is necessary for the appraiser to analyze all available data, such as replacement cost, income, and sales data and arrive at a fair value in exchange, which he generally terms market value.

The annual assessment roll for the City and County of San Francisco was completed and delivered to the Controller of the City and County of San Francisco on July 1, 1973. Locally and State assessed property in the City and County of San Francisco has a full cash value (market value) of 10.6 billion dollars. This represents an increase over the 1972-73 roll of 424 million dollars in full cash value or an increase in assessed value of 106 million dollars.

This year 80,000 residential property values were increased by approximately 1% due to increasing values reflected by market indicies. This increase, however, reflected only 20% of the total increase in assessed value. Over 70% of the increased value resulted from construction and completion of new downtown office buildings and hotels. The remaining increase was due to multi-family residential construction.

The Assessor's Office utilized comprehensive and continuing sales ratio studies with computer analysis of market data which results in a realistic and dependable basis for the revision of property valuation in the City's 154,000 parcels of real property.



ASSESSOR (Continued)

San Francisco was one of the ten cities included in the 1973 U. S. Department of Housing and Urban Development survey of property taxes conducted by the Arthur D. Little Company. The result of this survey as stated by the Arthur D. Little Company was that San Francisco's Assessor's Office has one of the most efficient assessment administration systems in the entire United States.

Despite the many accomplishments of this Office, it has been recognized by the State Board of Equalization and prior Grand Jury surveys that there has been a long standing inequity in salaries assigned to the personal property auditors and real property appraisers. The result of this inequity is reflected in the fact that there are currently 11 vacancies in the personal property auditor class out of an authorized complement of 32. These positions are comparable in every important respect, but the disparity in salaries remains a continuing threat to continuity of employment in this very sensitive and important office of City government. This inequity has caused a needless turnover of skilled and experienced personnel in the Assessor's Office.

During our investigation, our Committee received full cooperation and courtesy from the Assessor, Joseph E. Tinney, and his staff. We found his staff to be well informed, capable and interested. The Assessor's Office seems to be in good order and extremely efficient.

RECOMMENDATIONS:

#1. The Civil Service Commission and the Mayor should be made aware of the inequities that exist in the salary scale of the auditors and appraisers.

#2 The Assessor's Office should be given the full staff that it requires. The Civil Service Commission should take prompt and effective action to correct this inequity, giving particular attention in the matter of salary schedules assigned to #4220 personal property auditor, and #4261 real property appraiser, as well as #1652 senior accountant.

Albert Pollack

Mrs. Eleanor L. West

Joseph C. Muscat, Chairman



CITY ATTORNEY

One of the primary functions of the City Attorney's Office is to handle civil litigation involving the City and County of San Francisco, the San Francisco Unified School District and the San Francisco Community College District.

Actions concluded during fiscal year 1972-73 were as follows:

	<u>Actions</u>	<u>%</u>
Tort Actions	609	45
Non-tort Actions	143	11
Abatement Actions	209	16
Workmen's Compensation	366	27
Proceedings		
Appellate Litigation	<u>16</u>	<u>1</u>
 TOTAL	 1343	 100

This Committee will focus it's attention on the 609 tort Actions concluded inasmuch as they represent 45% of the total actions. In the 609 tort actions concluded, damages were sought for injuries to person and property, and for wrongful death. As reflected in Exhibit A 444 or 72.91% of the tort actions involve the Municipal Railway. The amount of damages claimed in the prayers of tort actions concerning the Municipal Railway was \$27,306,200 of which \$2,430,180 was paid. This represents .089% of the total amount of claims. Taking into account the total of 609 Tort Actions, Exhibit A reflects total claims of \$50,629,675 of which \$3,415,535 or .0675% was paid.

In spite of the heavy workload of tort cases and substantial dollar amounts involved, the City Attorney has held the amount of claims paid to a minimum.

In view of the high percentage of tort actions involving the Municipal Railway, this Committee recommends that more stringent controls be imposed on careless and irresponsible operators of buses and streetcars. These operators should be continually instructed as to their duties and responsibilities to the Public, who pay for their irresponsible acts as taxpayers.

We understand that the Municipal Railway has instituted a new Driver Retraining Program which may markedly improve the performance of the operators.



CITY ATTORNEY (Continued)

This Committee is also aware of the fact that San Francisco has one of the highest densities of motor vehicles per square mile and a high frequency of accidents. This is but one additional reason why greater attention should be given to insure the Public that buses and streetcars will be operated in a safe and responsible manner.

The City Attorney renders a wide range of legal services to the departments and offices of the City and County government as well as other governmental agencies such as the Municipal and Superior Courts, the Parking Authority, the Housing Authority, the Redevelopment Agency, the San Francisco Unified School District and the San Francisco Community College District. During the past fiscal year, the City Attorney rendered legal services to the Board of Supervisors in connection with the preparation, analysis, review or approval of 437 Ordinances and 827 Resolutions which were enacted or adopted by the Board during the year. Similar services were rendered in connection with 46 proposed Charter Amendments and two bond issues which were considered by the Board. Eighty-five formal written opinions and letters of legal advice were also sent to the Board. Two Deputy City Attorneys are assigned to assist the City's legislative advocate in Sacramento while the Legislature is in session. They review all bills, resolutions, proposed Constitutional Amendments, and all Amendments thereto introduced in the Legislature. The purpose of this review is to determine if there would be an affect on any aspect of City government if the bill should become law. In addition to work in Sacramento, the City Attorney's Office assists department heads in analyzing many bills sent to them for review. Deputies assigned to the Public Utilities section of the City Attorney's office work under the supervision of the Public Utilities General Counsel. These deputies also perform legal services for the Airports Commission, as well as the Water Department, the Hetch Hetchy Project, and the Municipal Railway. Legal work performed for all these utilities included the handling of litigation, the drafting and review of legal instruments as well as consultation and legal advisory services to the administrative staffs.

The aforementioned services rendered by the City Attorney's office are but a few of the many invaluable services rendered to the City and County.

While there are forty-three attorneys in the City Attorney's office the workload of this office has increased to such an extent that seven additional deputies are needed. This is due to several factors. The numbers of cases pending in the Federal Courts wherein the City and County or School Districts are involved has increased considerably to over one hundred cases. The City Attorney's office also has approximately 750 cases now pending which involve Federally Assisted Code Enforcement (FACE) and other City programs for the rehabilitation of real property. In addition, the recent enactment of ordinances such as the Employee Relations Ordinance, the Leash



## CITY ATTORNEY (Continued)

Law and the Election Campaign Contribution and Expenditure Control Ordinance will greatly increase the workload. Five additional stenographers are also needed to assist in handling this increase.

This Committee recommends, therefore, that the Mayor and Board of Supervisors approve the employment of seven additional Deputy City Attorneys and five additional stenographers.

The Grand Jury commends the City Attorney, Thomas M. O'Connor and members of his staff for the dedicated manner in which they are discharging their duties and responsibilities to the community.

### EXHIBIT A

#### SUMMARY OF 609 TORT ACTIONS CONCLUDED DURING FISCAL YEAR ENDING JUNE 30, 1973

<u>Department</u>	<u>No. of Cases</u>	<u>Won or Dismissed</u>	<u>Prayers</u>	<u>Amount Paid</u>
Electricity	3	2	\$ 495,870	\$ 470
Fire	4	1	379,730	33,500
Muni Railway	444	66	27,306,200	2,430,180
Police	38	21	8,136,145	90,335
Public Health	10	7	3,209,120	1,270
Public Works	72	23	4,495,220	164,085
Recreation & Park	11	5	2,026,875	31,750
Sheriff	2	--	575,000	100,250
Unified School District	16	8	3,870,695	549,725
War Memorial	1	1	35,000	-----
Water	8	2	99,820	13,970
TOTAL	609	136	\$50,629,675	\$3,415,535



## DISTRICT ATTORNEY

The primary responsibility of the District Attorney for San Francisco, under the provisions of Section 26500 of the California Government Code, is the prosecution of those who have committed public offenses in the City and County of San Francisco.

The size and composition of the population of San Francisco produce a predictably heavy incidence of criminal arrests. More than seventeen thousand arrests are made each year as "no warrant" felony arrests. Arrests for various offenses classifiable as misdemeanors approximate thirty-three thousand annually, including arrests for public drunkenness and relatively minor traffic offenses. The District Attorney deals with this volume by employing a staff of lawyers, investigators, secretaries, and others who are organized into divisions; each division being responsible for a major aspect of the workload. These divisions are: the Municipal Court and Complaint Division, the Superior Court Division, and the Bureau of Family Relations.

The duties of the District Attorney of a metropolitan city such as San Francisco are varied and demanding. To elaborate briefly on this point this Committee will discuss the "no warrant" felony arrests. During the fiscal year ending June 30, 1973, the Municipal Court and Complaint Division handled 15,616 "no warrant" felony arrest charges. This was a decrease of 980 felony charges from the previous fiscal year.

A total of 50.4% or 7,875 charges resulted in felony prosecutions. This figure includes 7,860 charges which were the same charges for which the defendants were arrested or which were included offenses. In the remaining instances, the defendants were rebooked or recharged on different offenses. In addition, 11.2% or 1,756 charges were reduced to misdemeanor charges and prosecuted in the Municipal Court. Thus 9,616 charges, or 61.6% of all charges arising out of "no warrant" felony arrests resulted in prosecution. Taking into account constitutional as well factual limitations, it was concluded that the evidence in 5,985 charges, or 38.4% of the cases was insufficient for prosecution and the defendants were discharged.

In the fiscal year ending June 30, 1972, 59.4% of all felony arrests resulted in prosecutions for either felony or misdemeanor offenses, whereas in the fiscal year ending June 30, 1973, 61.6% of all felony arrests resulted in prosecution. This represents an increase of 2.2%. Disposition of "no warrant" felony arrests for the fiscal year ending June 30, 1973 was as follows:



DISTRICT ATTORNEY (Continued)

	<u>CASES</u>	<u>%</u>
Felony Prosecutions	7,860	50.3
Discharged	5,985	38.4
Rebooked as other felony	15	.1
Misdemeanor prosecutions	<u>1,756</u>	<u>11.2</u>
TOTAL	<u>15,616</u>	<u>100.0</u>

The inability of victims of crimes to identify potential defendants or allegedly stolen property, and the unavailability of necessary witnesses were major factors resulting in the discharge of cases.

During the fiscal year ending June 30, 1973, 9,544 felony cases were filed in the Municipal Court, which was an increase of 1,852 cases over the previous fiscal year. Disposition of these cases was as follows: 42.7% of the defendants in felony cases filed were held for trial in Superior Court. 1.9% were indicted, 33.1% plead guilty to misdemeanor charges, 1.6% were discharged because of a plea to a different charge, 19.7% were discharged, and 1.0% were subject to other procedures, such as certification to Superior Court for determination of the mental competency of the defendant to stand trial, or certification to the Youth Guidance Authority where the defendant was under age.

The obvious conclusion drawn from these facts and figures is that the District Attorney's Office in the City and County of San Francisco renders an invaluable service to this community.

The 1972 Grand Jury Report reflected a number of recommendations which at this date have not been implemented. This Committee has found the same problems exist in the District Attorney's Office. These are: insufficient personnel, poor library facilities, inadequate space, and the lack of many vital legal texts needed for modern criminal investigations and legal research. It is of vital importance that the District Attorney's Office receive the attention and financial aid to cover the cost of the above-mentioned items.

At this writing the District Attorney's Office continues to request the necessary personnel, law books, supplies and equipment in order to perform adequate service to the community on existing cases. This does not take into account the increased workload which must be borne by the District Attorney's Office because of Ordinances passed by the Board of Supervisors, particularly the Election Campaign Contribution and Expenditure Control Ordinance and other ordinances concerning sign, noise, and dog control. To enforce the Election



DISTRICT ATTORNEY (Continued)

Campaign Contribution Expenditure Control Ordinance at this time will require one additional Assistant District Attorney, one accountant, and one investigator. Obviously additional personnel will be required to enforce other ordinances passed by the Board.

This committee recommends that an increase in budget for additional personnel, materials, space, and equipment be allowed the District Attorney's Office so that it may function properly and maintain its high standard of excellence in discharging its responsibility to the community.

The members of the Grand Jury commend the District Attorney, John J. Ferdon, for his many years of dedicated service as District Attorney. We also commend Chief Assistant District Attorney, Walter H. Guibbini and the members of the District Attorney's staff for the dedicated manner in which they perform their duties.

Peter Cresci

Joseph C. Muscat

Samuel Martinez, Chairman



### PUBLIC DEFENDER

The San Francisco Public Defender's Office operates under Section 3.403 of the Charter of the City and County of San Francisco, and also operates and is governed by Section 27706 and related sections of the Government Code of the State of California, in addition to Sections 600, 601, 602, 633, 634, 658, 659, 700, 777, and 728 of the Welfare and Institution Code.

The services of the Public Defender's Office are available to those persons, residents and non-residents, who are charged with crimes within the City and County and are unable to afford their own counsel.

The prime duty and responsibility of this office in representing indigent defendants is to see that each defendant receives a fair and impartial trial and that all of his rights are preserved under our Federal and State Constitutions and Appelate Court decisions. Other duties are to handle applications for indigent persons who seek pardon and restoration of their civil rights by filing Certificates of Rehabilitation when released from State Prison, and also the handling of requests for the sealing and expunging of criminal records.

In the last fiscal year there was a reduction in the number of major felony cases handled by the Public Defender's Office in the Superior Court as well as the Municipal Court. This must be attributed to a reduction of crime in San Francisco and the number of arrests made by the San Francisco Police Department. A considerable decrease in the caseload of the Master Calendar Department of the Superior Court and in the individual average caseload of the Deputy Public Defenders assigned to the Superior Court also reflects this.

Deputy Public Defenders now have additonal time to concentrate on their respective cases, request more thorough investigations, make motions, and prepare for trial.

### CASES HANDLED AND APPEARANCES MADE

During the last fiscal year ending June 30, 1973, there was a reduction in the number of defendants represented by the Public Defender's Office in all classifications, from 31,660 to 27,095, or 4,565 less defendants represented than in the preceeding fiscal year. Most of this reduction was in the area of misdemeanors and traffic offenses since the Public Defender's Office renders services only to Department 14 of the Municipal Court, which hears the more serious traffic offenses as well as misdemeanor drunk driving matters. The Public Defender has no deputy in Department 16 of the Municipal Court, which hears the less serious traffic offenses such



## PUBLIC DEFENDER (Continued)

as parking violations.

Appearances made in court by deputies have also decreased from 69,880 to 59,513 or 10,367 less court appearances. These appearances were primarily in the Municipal Courts because of consolidation of felony preliminary hearings in one court rather than holding such hearings in six courts as was the practice previously. The fact that the Public Defender services only one of the traffic courts, as indicated above, also contributed to this decrease. Exhibit B attached to this report reflects cases handled and appearances made with increases or decreases in each classification. It is this Committee's understanding that for the fiscal year ending June 30, 1972, the Public Defender's Office handled 31,660 cases. The highest case load per deputy in the nation.

## ACTUAL BUDGET EXPENDITURES

Exhibit A attached to this report reflects a budget increase in the amount of \$139,996 for fiscal year 1973-74. Salaries for the Public Defender's Office constitute the highest percentage of total cost. This is because of an increase in the salaries of all miscellaneous employees of the City and County of San Francisco provided for in the Salary Standardization Ordinance adopted by the Board of Supervisors pursuant to the Charter.

Other incidental costs consist of items such as materials and supplies. These items are reflected in Exhibit A.

It is the Committee's understanding that these amounts are substantially below the amount of funds appropriated for all other Public Defender Offices in the Bay Area.

Because of the Emergency Employment Assistance Act, employees that were provided to the Public Defender's Office with federal funding over the past two years the personnel problem has been solved to a large extent. When this program expires on June 30, 1974, these positions should be made permanent.

## ADOPTION OF CHANGE IN HANDLING FELONY CASES

In January of 1973, the Public Defender adopted a system of vertical representation as described in his annual report for the fiscal year ending June 30, 1973. This change was made possible because of the establishment in 1969 of a Master Calendar in the Criminal Division of the Superior Court and in the reorganization of the Municipal Court at the start of 1973, which established a separate department for handling preliminary hearings in felony cases only.

Evaluation of the system indicates that the anticipated benefits of vertical representation in felony cases have materialized.



PUBLIC DEFENDER (Continued)

Benefits and advantages appear to be as follows:

1. Elimination of multiple attorneys handling the various stages of criminal proceedings has made the relationship between attorney and client more personal, increased favorable communication, established confidence and reassurance in the client that his attorney does care, and is doing everything legally possible in properly representing him.
2. Participation in the preliminary hearing by the attorney who will try the cases in Superior Court makes for more effective cross-examination and better evaluation of the case at an early stage in the proceedings. Actually seeing and questioning the prosecution witnesses at the preliminary hearing is a great advantage in the preparation of the trial.
3. Expertise and experience of the attorneys is better utilized to the advantage of the client by one attorney representing the client through all stages of felony criminal proceedings from preliminary hearing to disposition in the Superior Court.
4. Early involvement by the attorney makes for earlier and better evaluation of the case and in proper cases allows for early disposition of the case, thus avoiding extended incarceration and unnecessary expense and delay in further Court proceedings.
5. The morale of the deputies has greatly improved and professional pride enhanced by personal representation through the various proceedings rather than the attorney being an anonymous part of one state of the proceedings, as had been the case in horizontal representation.

The team concept of having a back-up attorney has been helpful where the attorney primarily responsible for the case is involved in a different Court, or sick, or on vacation.

PROPOSED PROGRAM

There is an increasing demand in urban areas for the decentralization of government functions and the establishment of neighborhood community based activities to better serve the local residents. In the City and County of San Francisco this decentralization has been evidenced by community based Mental Health Centers, drug control programs, and Neighborhood Art Centers.

At present the Public Defender is working on a pilot program to establish neighborhood branch offices. These offices would be



PUBLIC DEFENDER (Continued)

located in four areas: 1) Chinatown-North Beach-Central City, 2) Mission District, 3) Western Addition, 4) Hunters Point-Bayview.

Inasmuch as the program is new at this writing, this Committee will follow with interest it's development during the remainder of our term and withhold comment until such time as may be appropriate.

The Public Defender, Edward T. Mancuso, plans to retire at the end of his term in January 1975. At that time, Mr. Mancuso will have rendered 31 years of dedicated service to the City and County of San Francisco, twenty and one-half years as Public Defender, and ten and one-half with the Board of Supervisors. The members of the Grand Jury commend Mr. Mancuso for his many years of dedicated service and we particularly wish to commend him for the manner in which he is discharging his duties as Public Defender. The members of his staff are also to be commended for the performance of their duties which are an integral part of the criminal justice system.

Peter Cresci

Joseph C. Muscat

Samuel Martinez, Chairman



EXHIBIT A

PUBLIC DEFENDER'S OFFICE

Actual Budget Expenditures For Periods Ending June 30, 1972 and 1973

	<u>1971-1972</u>	<u>1972-1973</u>	<u>Increase (Decrease)</u>
Permanent Salaries	\$713,710	\$743,242	\$ 29,532
Permanent Salaries-Rev. Sharing	-----	9,931	9,931
Manpower - EEA	-----	93,490	93,490
Temporary Salaries	1,000	1,190	190
Maint. & Repair - Auto Equip.	1,425	800	(625)
Contractual Services	2,157	6,198	4,041
Materials and Supplies	1,329	1,885	556
Use of Employees Cars	384	160	(224)
Telephone Service	4,500	4,300	{200}
Law Books	920	750	(170)
Equipment - Inc. Revenue Sharing	1,785	5,045	3,260
Expert Witness Fees	135	200	65
Fixed Charges - Dues	350	500	150
TOTAL	<u>\$727,695</u>	<u>\$867,691</u>	<u>\$139,996</u>



EXHIBIT B

Recapitulation of Cases Handled and Appearance Made

	<u>1971-1972</u>	<u>1972-1973</u>	<u>Increase (Decrease)</u>
<u>Cases:</u>			
Superior Court	2,699	2,276	(423)
Conservatorship Hearings	410	407	(3)
Felony Preliminaries	6,320	4,428	(1,892)
Misdemeanors	14,338	12,694	(1,644)
Traffic	4,584	3,833	(751)
Juvenile Court	3,309	3,457	148
<u>TOTAL</u>	<u>31,660</u>	<u>27,095</u>	<u>4,565</u>
<u>Appearances:</u>			
Superior Court - Felonies	8,305	8,078	(227)
Superior Ct.-Conservatorship	496	530	34
Municipal Court -Felonies	20,855	13,193	(7,662)
Municipal Court-Misdemeanors	26,532	21,952	(4,580)
Municipal Court - Traffic	7,994	8,408	414
Juvenile Court	5,698	7,352	1,654
<u>TOTAL</u>	<u>69,880</u>	<u>59,513</u>	<u>(10,367)</u>



## AIRPORTS COMMISSION

The fundamental purpose for the existence of San Francisco International Airport is to provide, operate and maintain suitable air passenger terminal facilities for air transport passengers traveling to or from San Francisco. The Airport, as an instrumentality of air transportation, performs a function of substantial economic importance to the community it serves. Air transportation has become the dominant form of long haul public transportation, and the Airport is the nucleous of this transport system. Safe and efficient traffic flow depends upon the ability of Airport Management to provide quality airport facilities with the economic capability to keep pace with the growth of Airport traffic, size and composition of the aircraft fleet and technological advances in aircraft support equipment design.

In recent years, environmental considerations have become a major issue, requiring the Airport Director to devote a considerable amount of time and effort to minimize the effect of Airport operations on the local environment, while at the same time maintaining the economic viability of the Airport in terms of paying its own way. In order to solve these problems, the Airport Director must deal with local residents, special interest groups, and environmentalists in an attempt to satisfy conflicting expectations of diverse and powerful systems.

The Grand Jury is pleased to report that the Airport is being managed and operated in a highly satisfactory manner.

In March, 1973, Mr. William J. Dwyer was appointed Director of San Francisco International Airport. Mr. Dwyer, a veteran public employee with more than 33 years of service and experience in San Francisco Municipal Government financial policies and procedures, was intimately involved in major negotiations with the Airline Industry and had played a major role in establishing the financial feasibility for the \$380 million Airport Development Program while serving as Deputy Director, Business and Finance at the Airport.

Since his appointment, Mr. Dwyer has completed several major documents of considerable importance to the Airport and the City and County of San Francisco. The most noteworthy was the renegotiation of the United Air Lines Maintenance Base lease which provided for a new, 40-year lease commencing July, 1973. The new lease also resulted in an additional 1.6 million dollars in rental and landing fee revenue to the Airport. Another significant document was the final drafting and signing of the Airline Landing Fees Agreement. This agreement calls for adjustments in the landing fees every three years --or sooner--to avoid Airport tax subsidy and insures the economic



AIRPORTS COMMISSION (continued)

capability of the Airport to pay the cost of financing the existing Airport and the cost of financing future Airport capital improvements.

Recognizing the need to modernize and develop the outmoded terminal facilities and alleviate existing passenger and vehicle congestion, Airport Management has done its utmost to follow all national and state laws regarding submission of required Environmental Impact Reports for the proposed Expansion Program. Environmentalist groups have filed suit in an effort to halt the development of the Airport. Airport Management, however, has followed a logical course of action in its quest to seek final approval of the Airport Development Program which was approved by the voters of San Francisco in 1967. Considerable time and effort has been expended by the Airport staff in this regard.

The proposed Expansion Program is presently awaiting approval by the Board of Supervisors. The requirement to modernize and develop the Airport to meet the public demand for safe and convenient airport facilities is readily apparent to the Grand Jury. Failure to implement the program would have far-reaching adverse effects on the economic viability of this complicated public service department.

An examination of the schedule of building program projects showed that only two new buildings are planned. They are (a) the North Terminal and Boarding Areas; and (b) a new garage addition to complement the existing garage. The remainder of the building program deals with remodeling and modernizing outmoded existing facilities that are not compatible with existing aircraft mixes. The program of projects also indicates there are safeguards to deal with any sudden recession in passenger traffic. Therefore, the Grand Jury supports the Airport Development Program.

Examination of the fiscal reports and policies for the Fiscal Year ending June 30, 1973, indicates Airport Management is employing a sound and logical fiscal program designed to pay its way. The airport processed a record 16.2 million passengers during fiscal year 1972-73.

The progress of Capital Improvement Programs at the Airport was reflected by a general increase in the tempo of construction during fiscal year 1972-73. A total of 39 projects, valued at \$21,700,000, were underway and/or completed. To date, the Airport has received approximately \$19 million in federal aid to airports funds to assist in approximately 27 Airport improvement contracts totaling nearly \$40 million.

The Grand Jury submits the following observations and suggestions as to those areas where improvements can and should be instituted at the Airport:



AIRPORTS COMMISSION (continued)

The growth of passenger traffic at San Francisco during the last two years has taxed the capacity of San Francisco International Airport's existing facilities, and as a result, a major problem facing the Airport Management is vehicular access to the Airport during peak-passenger demand hours, especially on weekends. The solution to the problem of accommodating incoming traffic, parking of cars and timely exiting of the cars at San Francisco International Airport is urgent and must be solved.

Not only will this problem intensify as passenger traffic increases, it will become critical when construction of the new garage addition begins late in 1974. The design of the new garage and changes to the existing garage must be carefully planned to insure that the finished facility is functional. For the present, an interim plan to handle anticipated traffic and parking demands is of the utmost importance. Additional exits from the existing garage are needed. Prime frontal road parking space is presently being utilized by airline employees to the detriment of public use. This should be reversed wherever possible. The identification, directional signs and advertising of public parking lots is not considered adequate at the present time. Shuttle service between parking lots and terminals should be service orientated and flexible to meet demand. Shuttle bus time schedules should be posted, advertised and updated monthly.

The general appearance and landscaping of the entrance roadways to the Airport is below standard. In addition, there are several old and run-down wooden buildings on the Airport which are not being utilized. Since the Airport is land poor, reclamation of these areas is in the best interests of the Airport.

The Sound Abatement Program at the Airport is presently handled through the Sound Abatement Center. The Sound Abatement Center employs an Executive Director who is head of the Sound Abatement Committee and is generally responsible for directing Airport sound abatement programs, holding monthly meetings and providing administrative functions as required. Costs related to the program are borne on a pro rata basis between the airlines and the Airport. Although the Sound Abatement Program at the Airport continues to show positive results under the present setup, recent state and national laws pertaining to aircraft noise has increased the emphasis and scope of the Airport's responsibilities for Sound Abatement Programs and procedures. The Airport is now required to install, monitor and maintain a considerable amount of sophisticated noise monitoring equipment. In view of this, it appears appropriate for the Airport to assume direct supervision for the conduct of all Sound Abatement Programs and procedures as a staff function to assist the Director in dealing with local community problems related to aircraft laws.



AIRPORTS COMMISSION (continued)

The lengthening of Runways 1R and 1L into the Bay would benefit the Airport from a noise abatement and flight safety standpoint. The primary purpose of such a project would be to reduce take-off noise to adjacent Millbrae and San Bruno residents. Although it is a long-range possible solution, there appears to be a valid requirement to study the feasibility including the environmental impact of such a project.

The progress, scheduling and monitoring of construction projects has definitely improved since the last Grand Jury Report. The number of construction projects will increase in both number and size as the expansion program gets underway. Airport Management is searching for a construction management firm to supervise the forthcoming development program and should insure they are selected and on the job prior to implementing the program. It is imperative that all precautions be taken to minimize the effect of construction on the daily operations at the Airport.

RECOMMENDATIONS:

1. The Airports Commission should develop a Master Vehicular Parking Plan to accommodate public requirements prior to commencement of construction within the existing garage complex. The Plan should be orientated to public service and include provisions for traffic direction and identification at parking lots.
2. The Airports Commission should re-examine the policy of utilizing prime property on the inbound-outbound roadway system for employee parking in view of the need for convenient public parking space.
3. The rate structure for parking at the Airport should be reviewed to encourage short-term parking in the garage and long-term parking in remote lots located on Airport property.
4. Steps should be taken to landscape and improve the general appearance of the entrance to the Airport, the terminal area and the airport frontal roadways.
5. Old, wooden buildings and structures not in use on the Airport should be demolished.
6. A study and plan should be initiated to lengthen Runways 1R and 1L into the Bay and should include the environmental impact of such a project.
7. The Airport should assume the responsibility for conducting sound abatement and noise monitoring programs as a staff function to assist the Director in dealing with forthcoming state and national laws pertaining to aircraft noise.



AIRPORTS COMMISSION (continued)

Peter Cresci

Samuel Martinez

Albert Pollack, Chairman



## MUNICIPAL RAILWAY

The San Francisco Municipal Railway is like the weather - everyone talks about it - but no one seems to be able to do anything about it. It is no secret that the public is not especially reticent about expressing its viewpoint - in Letters to the Editor of the daily newspapers, in Special Reports of the papers, in answers to the Question Man, on the Editorial pages, in the columns of the political pundits, before the Board of Supervisors, in reports of civic organizations, like SPUR. In fact, except for the energy crisis - with which it is inter-related - the subject of the state of the Muni is of common concern to all the citizens of San Francisco. And the reason for this solicitude is of course obvious - the Muni, more than any other governmental agency, touches peoples' daily lives.

With the new awareness of the importance of municipal transit has come the realization that municipal transit is not a profit-making organization any more than the police, the firemen or public education.

Municipal transit exists to provide a service - clean, efficient, and rapid movement of people, the cost of which is shared by fares and tax receipts. It is an anachronism to refer to the amount of the costs made up by taxes as "the deficit" and such thinking in the past has been a considerable contributing factor to the decline in service which can now be arrested only by a massive transfusion of new funds.

It is not the intention of this report to delineate all of the improvements and changes, both technical and otherwise, necessary to make Muni more responsive to the requirements of the citizens of San Francisco. Many reports have been written on this subject which go into intricate detail. We have reviewed a number of these reports and commend to the serious reader the San Francisco Planning and Urban Renewal Report on "Building the New Muni" dated February 21, 1973, the Transit Improvement Program for the San Francisco Municipal Railway prepared for the Public Utilities Commission, and the Report of Simpson and Curtin, Transportation Engineers, on Coordinated Transit for the San Francisco Bay Area - Now to 1975, published in October 1967.

With this admonition in mind, we nevertheless intend to set forth a number of specific improvements we recommend should be made to bring up the Muni's standard of service to a level of competence rightly expected by the populace.



## MUNICIPAL RAILWAY (continued)

### GENERAL OBSERVATIONS

The Muni can also be compared to a poor relation who has just come into an inheritance and who is receiving from all sides advice on how to spend his new found money. We would wish that the Municipal Railway, its staff and platform operators will consider our recommendations as constructive criticism to an operation that has "bottomed out" and now appears headed towards a new era of municipal transit in the City.

At long last, new street cars have been ordered, there is a continued program of replacing motor coaches, new trolley coaches will be on the line in a year, roadbed is being upgraded and replaced. In short the flow of funds has begun.

But funds for new equipment alone are not enough. This must be translated into service for the riding public--and that portion of the public still driving private automobiles, many of whom would be happy to switch to public transit if it were quick, convenient and comfortable.

The Urban Institute in Washington states that the knowledge of transportation behavior is prehistoric but what evidence there is suggests that a given amount of money spent on better service will have far more influence than the same amount spent on lower fares. This evidence shows that it isn't the length of the ride that bothers people most about transit service, but "access time" - the time to get to and from the ride at each end, the number of changes, the length of waits. People are less concerned about riding time than waiting time.

Schedules and running to these schedules are the next breakthrough needed for the Muni. The Grand Jury's recommendations this year focus on this need and system operating improvements that need to be made to achieve this goal.

### SPECIFIC RECOMMENDATIONS

1. Contrary to popular belief, the Muni does have schedules. Management knows what they are. The platform operators know what they are. It is only a secret to the public, the users of the Muni. True, the latest edition of the telephone book (page 9 of the Yellow Pages) gives the average headway (minutes between vehicles) but does not give actual scheduled times. This headway information is of interest where it is under 10 minutes but scarcely helpful when the headway is 20-40 minutes. Certain of the Muni platform operators have on their own printed Time Tables for Lines N & 6 and for Lines J, 11 & 33. A spokesman for the Public Utilities Commission was reported in the San Francisco Chronicle of August 15, 1973 as stating that schedules were then being printed, that ten lines would be completed by 1 and 1/2 months (October 1st) and all lines



## MUNICIPAL RAILWAY (continued)

within a year, and that these schedules would be printed out of an enlarged information budget of \$213,000. This "timetable" for schedules has recently been revised to indicate that schedules for lines with the longest "headway" would be issued in December 1973 with schedules for other lines to follow at some inderterminate time in the future. While this is an interesting promise we have yet to see a regular program for schedules to be delivered to the riding public. In contrast, AC Transit published 2,399,000 schedules this year, distributing them in buses, in BART connecting points and at various major stops. Tens of millions of dollars are now being regularly spent for equipment designed to pick up passengers on schedules which the Muni will not or will only begrudgingly make available to the public, the most information now being given being the "average minutes between vehicles" contained in the Yellow Pages of the Telephone Book. Since almost 200,000 people every day make decisions based on when they expect service to be operating, surely it is not too much to ask that this public be given schedules to avoid long waits at bus stops.

Such schedules might also be of some help to obviate a chronic complaint concerning the Muni--bunching of buses. It is not unusual (and it seems to occur with increased frequency on rainy days) for patrons to wait a great deal of time (much more than the average contained in the Yellow Pages) and then have 2 or 3 buses arrive, bunched together, the first of which is packed full, the second considerably occupied and the third practically empty. Of course, average headway still could be within the limits provided since the total time which would normally cover 2 evenly spaced vehicles now covers the same three vehicles all arriving at a stop within moments of each other. After experiencing this phenomenon three of four evenings at Sutter and Sansome, the starting point for the 1,2,3,4 and 45 lines, one of our acquaintances called the Muni and after 45 minutes of repeated dialing finally reached Muni information and was given scheduled departures from such location that had as much relation to reality as Alice in Wonderland. Further, when requested, the operator refused to give either his name or number.

If the taxpayers are to have any confidence in the "New Muni" they must have information as to when the service is available, not just average intervals. And this means SCHEDULES and schedules which are realistic in performance - not merely goals which are only sometimes attainable. In this regard drivers' opinion and recommendations should receive greater weight than they now do.

2. Mere printing of schedules is not enough--these schedules must be kept. The following recommendations relate to deficiencies in the present system which impair the ability of the Muni to keep to schedule and perhaps account for Management's reticence to share its scheduling information with its patrons.



## MUNICIPAL RAILWAY (continued)

3. Scheduling implies starting a route on time. The Muni has inspectors to ascertain if vehicles are running on schedule. One would think that inspectors would be located at the start of the lines at least, in the residential neighborhoods in the morning and in the working areas in the evening. All too often the riding public at the beginning of a line sees numerous buses go by in the opposite direction but none coming his way until the all too familiar bunch of buses. And where are the inspectors? Cruising in cars or checking at intersections of several lines (the latter procedure resulting in the irritating custom of drivers stopping some blocks from a known inspector until sufficient time has gone by that he can pass the checkpoint on time and then, having done this, highballing to the end of the line).

Schedules posted at the 4 or 5 checkpoints of each line would allow passengers to determine whether the transit vehicle was on time and inspectors operating at starting points could insure that vehicles leave at appointed times ONE BY ONE. Such inspectors could also adjust times in the event there is a "missed run" by reason of equipment failure or driver absence, so as to result in the least inconvenience to patrons. Under the present system, if a "missed run" occurs patrons must wait double the headway until the next regularly scheduled vehicle arrives.

4. Starting a route on time requires that the vehicle be there. This brings us to maintenance and driver's identity with his vehicle. As the SPUR report points out AC Transit operates 91% of its vehicles on a typical day while the Muni fields only 81%. Although working conditions for the maintenance staff are deplorable, the men are dedicated to their jobs. In addition to the lack of physical facilities which should be remedied by construction of new shops and service facilities under the Transit Improvement Program, certain positive steps remain to be taken.

5. Muni operates on a spare parts ceiling of \$300,000 set by the Supervisors in 1936. Whatever the validity of that ceiling in 1936 prior to the acquisition of the Market Street Railway Company and at a time when the family auto could be purchased for \$695, it is hopelessly inadequate today. Moreover, it is counterproductive in that it results in a scarcity of parts preventing a proper program of preventative maintenance and resulting in substantial down-time for very expensive rolling stock. A good example of "For want of a nail, the kingdom was lost". A much more realistic and yet conservative, spare parts inventory would be \$1,500,000 and the Grand Jury recommends that the Board of Supervisors increase the ceiling to this figure.

6. Preventative maintenance is a system of removing and replacing parts when they have reached their life expectancy, before they fail - before the vehicle breaks down and must be towed into the Barn. A.C. Transit practices preventative maintenance to an advanced



MUNICIPAL RAILWAY (continued)

degree resulting in greater reliability of its vehicle fleet. Parts are color coded by year of purchase. They are regularly changed in accordance with a system that correlates vehicle mileage with parts replacement. Muni practices some preventative maintenance but to a much lesser degree, in part restricted by the \$800,000 ceiling on spare parts and in part by an antiquated system of record keeping. It is imperative that the Muni adopt a comprehensive system of preventative maintenance without delay in order to achieve greater vehicle reliability.

7. Adequate record keeping is essential to proper maintenance. Knowing when to change parts and service vehicles, spotting parts with high fail-rates, discovering where workmanship may not be up to proper standards, keeping inventory orders up to date to avoid scarcity of needed parts - all this information and more can be made quickly available by modern records keeping procedures.

But a trip to Muni Maintenance is convincing that it is still operating in the roll-top desk, quill pen days. Essential records are kept on cards posted by hand and without an adequate cross-retrieval system. Maintenance management has consistently resisted modern data processing methods. Three years ago a vehicle maintenance data processing program was offered to the Muni which would have, if implemented, saved considerable time, effort and money as well as pinpoint deficiencies in materials and work habits. Somehow, it "didn't work out". The Water Department jumped at the chance for this program and has found it immensely valuable. It is all very well to lament the underfunding of the Muni but this data processing program, utilizing the Public Utilities Commission's computer could have been accomplished with staff available and greatly increased the efficiency of the Muni's maintenance program, thereby cutting down on the missed runs which are so irritating to the riding public. The Grand Jury recommends that the Muni implement without delay modern data processing procedures in its vehicle maintenance program.

8. Increased driver identification with his vehicle would also reduce vehicle down time since a driver familiar with the vagaries of a specific vehicle could identify problems more frequently prior to an actual breakdown. But at the present time a driver has very little chance of having a vehicle assigned to him, in fact the odds are highly against it.

This situation arises because vehicles are parked in lanes, one behind the other, on a first-in, first-out basis. This system of parking is perhaps the Achilles heel of the whole maintenance system. By parking in tracks, a particular driver cannot be assigned to a specific vehicle for more than one shift. If a vehicle fails to start, it blocks the whole line behind it. A specific vehicle cannot be pulled out for maintenance without moving several others. A vehicle assigned to a driver may be behind several others which



MUNICIPAL RAILWAY (continued)

must be first moved before that vehicle can leave the Barn, thereby resulting in a missed run.

At AC Transit, diagonal parking is used thereby giving immediate access to all vehicles. Diagonal parking takes more space than lane parking but greatly increases the efficiency of the operation. Muni has limited space for parking but the costs for additional parking area will be quickly returned in greater efficiency. A start is being made in this area by the purchase of the Tubbs Cordage site in Dogpatch. The whole storage system should be converted to diagonal parking as soon as possible and certainly co-incident with the Transit Improvement Program.

9. The Muni's management procedures must be tightened and updated in keeping with the fact that it will shortly be running the most modern multi-faceted transit system of any municipality in the country and perhaps the world. Too often in the past Muni management has provided an example of the Peter Principle raised to the Nth degree. Adequate management training must be given. There must be a reduction in hostility between management and drivers. Muni management should be given on-the-job training similar to that provided by corporations for their executives, Muni-sponsored study at educational institutions, refresher courses during working hours on modern management techniques and labor relations.

10. Hand-in-glove with additional management training is additional training for the drivers. At present, morale is poor. Drivers often feel persecuted by management. A driver is "written-up" without being informed, for example, for lack of proper uniform without being first given the opportunity for explanation--such as the fact that certain articles of his uniform might not be available. Other public utilities in the City have achieved a sense of comradery --it is time for this feeling to be imparted in the Muni. Drivers need a sense of identity with the Muni. This means more informational material for them, more programs to help them cope with what has become a not overly sympathetic riding public. The recent inauguration of the newsletter "Trolley Topics" is a step in the right direction. There is some evidence of movement, by top management toward rapport with platform employees. In line with this, General Manager John M. Woods, who is extremely knowledgeable, must demand performance from his management team.

Irving S. Levin

Albert Pollack

Jean P. Sullivan, Chairman



## FIRE DEPARTMENT

The Fire Department is charged with the responsibility of protecting the lives and property of the citizens of San Francisco in the event of fire, disaster or any other kind of emergency. The department has applied itself diligently to this task with the result that taxpayers receive a high degree of return for their tax dollars in services rendered by the department. A constant effort is made to reduce fire hazards and improve the department's efficiency.

The Bureau of Fire Prevention and Investigation checks all plans for future construction and inspects buildings in order to enforce the Fire Code and eliminate fire hazards. Much of this work is accomplished through persuasion and compromise. A notable example of this is the High Rise Building Safety Program where buildings have been equipped with sprinklers and other safety features not previously required by law. Fortunately, through the efforts of the department, legislation was enacted which insures the safety of people in high rise buildings. The High Rise Safety Program is recognized nationally as one of the most forward and efficient systems devised. In order to carry on this program, as well as the regular work of the bureau, Fire Chief Keith Calden is making every effort possible to upgrade the bureau to the standards required by national authorities.

The \$8,491,000 Fire Protection Systems Improvement Bond Issue, approved by the voters at the November 1971 General Municipal Election, provided the department with funds to: a)purchase fire apparatus, b)implement a computer controlled dispatching system and c)improve water supplies and facilities, notably the high pressure water system. These three projects have been implemented and the department has received the apparatus authorized with the exception of the aerial truck which is expected to be delivered in January of 1974. The computer controlled dispatching system contract has been awarded to the Scientific Systems Development Corporation (SSCD) and at this writing the contract is being drafted. Work is progressing on the water system under the Department of Public Works. These three items, when completed, should have an enduring impact on the efficiency and capability of the department.

Every effort is being made to provide a training program which is responsive to the needs of the modern fire fighter. This is exemplified by the Video-Tape Recording System which enables immediate review of training operations and the recording of films of actual fire operations.

The department has been handicapped by a lack of sufficient personnel. At this writing there are 227 vacancies in the



## FIRE DEPARTMENT (Continued)

department. This figure is a combination of actual vacancies and positions which cannot be filled until lump sum sick leave payments have been made. A suit pending in the United States District Court alleging discriminatory practices against members of minority groups was decided in November of this year. The Court found that the number of minority firemen on the force was inadequate. It was ordered that one minority fireman be hired for every new Caucasian fireman hired until a better racial balance is achieved. The Civil Service Commission has decided to appeal this decision. Pending a ruling by a higher court existing vacancies will be filled according to the order of the United States District Court.

The members of this Committee have visited several of the department's stations and have found, in every instance, a group of firemen possessed of high morale, dedication to duty and a sense of civic pride. The stations and apparatus are maintained in a high degree of cleanliness and readiness, which gave us a great sense of pride and satisfaction.

### RECOMMENDATIONS:

In order to maintain the efficiency of the San Francisco Fire Department, we make the following recommendations, which we believe essential:

- 1) Professional legal assistance should be provided to the department in all labor negotiations.
- 2) A continuous program for the replacement of equipment should be inaugurated. Three pumper and one aerial ladder should be replaced yearly in order to maintain a fifteen year life span for apparatus. Ten walkie-talkie radios should be replaced each year in order to maintain a five year replacement program.
- 3) An on-going effort should be made to upgrade the Bureau of Fire Prevention and Investigation by providing sufficient personnel for building inspections and essential fire prevention activities.
- 4) Entrance standards for new employees of the department should not be lowered under any circumstances.
- 5) Eligible lists for new firemen and officers should be programmed so that there is no lapse upon expiration of a current list. During the lapsed time no new appointments are made which in turn, requires the appointment of temporary officers and overtime watches for firemen. This causes a tremendous drain on the Bureau of Assignments and is unfair to potential eligibles. An undesirable result of this is the retirement of temporary officers at the increased pay of that position, as required by the Charter, when they are injured on duty.
- 6) The Airport Division of the Fire Department should be provided with one lieutenant and ten firemen in order to provide the strength necessary to cope with structural fires.



FIRE DEPARTMENT (Continued)

The members of the Grand Jury congratulate the members of the Fire Commission, Chief Calden and the members of the Fire Department for their fine performance and their continuing efforts to improve the efficiency of the department.

Peter Cresci

Samuel Martinez

Albert Pollack, Chairman



## CIVIL SERVICE COMMISSION

Since the Final Report of the 1972 Grand Jury the General Manager, Mr. Bernard Orsi, has developed an organizational framework in the Civil Service System with a cohesive chain of command. There are several distinct divisions established in each section of the work force, with named individuals in charge, giving rise to clear lines of communication from the top down. In short, Mr. Orsi and his very able assistants have brought unity to what was a most chaotic system before his arrival. Prior to Mr. Orsi's assumption of his job as General Manager, many City positions were held by limited tenure personnel. Civil Service examinations to permanently fill many positions had not been held for long periods of time. This situation had a depressing effect on the morale of employees because they lacked a sense of security. By accelerating the regular examination procedure, and by encouraging an immediate testing program, the General Manager, and his staff have given a sense of security to those employees who were thus enabled to assume permanent Civil Service positions.

We note with approval that perhaps the most important training program developed by the Employment Counseling Center in fiscal year 1972-73 was the Management Training Program. This project attempts to serve multiple needs through one basic device including uniform graduate level pre-appointment training for management positions, management selection, through the use of oral examinations, and greatly expanded promotional opportunity for minorities and women. The project is administered by the Civil Service Commission with a \$29,000 grant from the San Francisco Foundation. The grant allows 20 permanent City employees, without requiring a bachelors degree, to complete a graduate syllabus of 24 units in a program especially designed for municipal management positions. At the conclusion of the one year classroom program the 20 candidates will be allowed to compete promotionally in journeyman level management examinations. If this pilot program is successful, it is hoped that this program can be offered bi-annually to provide a continuing resource of job ready management personnel.

This Grand Jury Committee found Mr. Bernard Orsi, General Manager Personnel, and his staff most cooperative in our several meetings. They are all dedicated men.

## HEALTH SERVICE SYSTEM

The Health Service System was established by Charter Amendment in March of 1937 and has been conducting business officially since October, 1938. In 1961, The Health Service System became a fully budgeted department of the City and County of San Francisco.



## HEALTH SERVICE SYSTEM (Continued)

Presently there are three plans offered to the membership at large; Plan (1), The City administered Plan; Plan (2), Kaiser Foundation Health Plan; and Plan (3), Hospital Service of California (Blue Cross). At the beginning of fiscal year 1972-73, a fourth Plan had been offered, the Bay Medical Group, which cancelled its contract with the City and County, effective April 1, 1973. All members of this Plan, by Board action, were automatically transferred to Plan (1). Basic benefits for the City Administered Plan are processed and paid through the Health Service System office. Phoenix Mutual Life Insurance Company is the underwriter for the major medical plan in connection with the City Administerd Plan. The Kaiser Plan, considered to be a community plan, underwrites its own major medical contract. The above named plans provide adequate and diversified coverage and, in most instances, reasonable premium rates. The City subsidizes retired employees. The Charter specifically states that no retired employee will pay more than his active counterpart. Retired subsidy rates will therefore fluctuate as the rates for the entire system fluctuate.

The Membership Division of the Health Service System underwent a partial re-organization during the previous fiscal year, and the division as reorganized is functioning very well. The membership presently includes some 23,000 active employees, approximately 5,900 retired employees, and 1,200 resigned and residual employees. When the dependents of these groups are added, the system is servicing some 66,000 people.

The Claims Division is responsible for the handling of claims made against Plan(1), the City Administered Health Plan. Basic benefits are evaluated for payment in this office and are paid through the Controller's Office on a weekly basis. Major medical claims are assembled in this office and forwarded to the major medical carrier for processing. Checks in payment of these claims are returned to the Claims Division for distribution.

The Claims Division maintains close contact with the Compensation Division of the Retirement System in the event an application for determination before the Retirement Board is approved, namely, where an injury has been determined to be industrially caused. When medical bills have been paid by the Health Service System, a lien is placed on the settlement for the purpose of recovering monies expended. This operation requires very close surveillance by the Health Service System staff of this phase of Retirement System Activitiy.

### RECOMMENDATIONS:

1. The staff of the Claims Division should be increased to handle the tremendous growth in the workload of that office.
2. A serious study should be made to determine the feasibility of the City administering its own major medical coverage.



## HEALTH SERVICE SYSTEM (Continued)

This Committee compliments the Executive Director Mr. Philip J. Kearney, and his able staff for the fine work they are doing.

### RETIREMENT SYSTEM

The San Francisco City and County Employees' Retirement System was established by the Board of Supervisors on April 1, 1922 and is now in its 51st year of service to the employees of the City and County of San Francisco.

The System is administered by the Retirement Board consisting of seven members: the President of the Board of Supervisors, three active members of the system elected by the membership, and three members appointed by the Mayor, who shall either hold a degree of Doctor of Medicine or shall be experienced in life insurance, actuarial science, employee pension planning, or investment portfolio management. Each member appointed by the Mayor shall be from among a list of names submitted by a committee consisting of two members each of the San Francisco Medical Society, Bar Association, Real Estate Board, and the Chamber of Commerce. No more than one doctor may serve on the Board at any one time.

To aid in the administration of the system, the Retirement Board appoints an Actuary and a Secretary-General Manager. The Actuary holds his office at the pleasure of the Board. The Secretary-General Manager is subject to the Civil Service provisions of the Charter. The General Manager has jurisdiction over approximately 58 permanent employees divided into six divisions, namely: 1) Administration, 2) Investment, 3) Accounting, 4) Actuarial, 5) Membership and 6) Workmen's Compensation.

Section 3.671 of the Charter gives the Retirement Board exclusive control of the administration and investment of the funds derived from contributions by member employees and from contributions by the City and County. These funds now total \$574,000,000. The investment of these funds is a great responsibility, since the goal of such investment is to obtain maximum yield without jeopardizing the principal upon which the retirement benefits of the City and County employee members are dependent. There is a direct relationship between the yield on investments and the size of employee and City contributions required to meet the expense of retirement benefits. The Controller and Treasurer act jointly as custodian for securities owned, and the Controller must ascertain that purchases by the Retirement Board are as required in Section 3.671 of the Charter. The number of active members in the System as of June 30, 1973, was approximately 28,000.

As a result of the passage of Assembly Bill 961 all teachers of the San Francisco Unified School District and the Community College District were required to elect to be covered by



## RETIREMENT SYSTEM (Continued)

either the San Francisco City and County Employees' Retirement System or the State Teacher's Retirement System for their retirement benefits. Of the 6,700 teachers, 5,100 chose to be covered by the State Teacher's Retirement System and the rest chose to remain with the City and County Employees' Retirement System. All new teachers employed by the two school districts on or after July 1, 1972 are automatically members of the State Teacher's Retirement System.

Pursuant to a proposition approved in the November, 1971 election, 185 deputy sheriffs elected to transfer to the Public Employees' Retirement System for retirement coverage. All new deputy sheriffs as of January 24, 1973 are automatically members of the Public Employees' Retirement System.

This Committee gives Mr. Daniel Mattrocce, the Secretary-General Manager, and his dedicated staff a high mark for the efficient manner in which they have managed the duties of their department.

John R. Healy

Stephen P. Lazzareschi

Emil P. Appelman, Chairman



## CITY PLANNING COMMISSION

The primary function of the City Planning Commission is to adopt and maintain, making necessary changes, a comprehensive, long term master plan for the improvement and future development of the City and County of San Francisco. The Master Plan is composed of ten planning elements: residence, urban design, transportation, recreation and open space, community services, conservation, noise, seismic safety, education and commerce and industry. Five of these ten elements, namely, residence, urban design, transportation, recreation and open space and conservation have been adopted by the Planning Commission.

The City Planning Department is composed of highly skilled planners and professional personnel whose expertise contributes to the success of the Master Plan.

The meetings of the Planning Commission are open to the public and the citizenry has the opportunity to participate in the efforts of this department to improve the quality of life in San Francisco.

### City Planning Code

The City Planning Code (Zoning Ordinance) is one of the several tools that the Commission can use in achieving the goals of the Master Plan. City-wide height and bulk controls became effective in September, 1972. This established zoning districts throughout the City, in addition to and separate from use districts, limiting the height and horizontal dimensions of buildings.

### Open Space Land Program

This is a federal grant program used to help neighborhoods to become better places to live in and more desirable. In June of this year the City received notification from the federal government (Department of Housing and Urban Development) that a grant in the amount of \$143,500 had been approved for the Open Space Program. A total of \$1.8 million in federal grants, including this new grant, have been awarded to the City for its program for park improvements and urban beautification.

### Environmental Impact

The September, 1972, decision of the California Supreme Court in the "Friends of Mammoth" case and the amendments to the California Environment Quality Act of 1970 have added new responsibilities to the City for the review of all public and private construction.



## CITY PLANNING COMMISSION (Continued)

projects for possible effects upon the environment. Through an amendment to the San Francisco Administrative Code, effective in April of this year, this review function was assigned to the Department of City Planning and the Planning Commission.

Because of the volume of work involved in the review process, it will be necessary for the Department of City Planning to request the addition of an Environmental Review Officer to work with the present staff on these matters.

### Environmental Review Process 1972-73

A. Initial Evaluations of Projects	No. of Projects
1. Under Review at Beginning of Period	0
2. Received for Review	258
3. Evaluation Determined Not to be Required	32
4. Negative Declaration Filed	175
5. Environmental Impact Report Determined to be Required (Either with or without initial evaluation)	32
Appealed to Commission	2
6. Under Review at End of Period	19
B. Environmental Impact Reports Reviewed	
1. Report in process at beginning of period	0
2. Draft Report Completed and Hearing Scheduled	19
3. Final Report Completed	15
4. Report in Process at End of Period	55

### Budget

The budget of the Department of City Planning for fiscal year 1973-74 is \$1,394,932, an increase of \$122,594 over fiscal year 1972-73.



CITY PLANNING COMMISSION (Continued)

Recommendations:

1. A supervisory position should be established to coordinate the work of the Planning Department staff in comprehensive planning in order to carry out urgently needed management functions.
2. The position of Environmental Review Officer should be established to assist in the heavy Environmental Review Process workload.
3. A new position of chief supervisor for preparation and implementation of the City's Master Plan should be established. This supervisor should be assigned responsibility for coordinating activities with other City agencies in programs and projects designed to carry out the policies of the Master Plan.
4. Two more positions should be established for enforcement activities relative to the correction of violations of the Planning Code, which are increasing yearly.
5. One central building is needed to house all of the staff and equipment of the Planning Department. This building should be located in the Civic Center area so that department personnel will have ready access to all necessary information.
6. Since there is a backlog of two to three years because of insufficient staff two new Planner 1 positions should be established. A new position of Planner 4 should also be established to assist the Planner 1 positions.

The Grand Jury congratulates the members of the Planning Commission, the Director of Planning and his entire staff for their outstanding work.



## PARKING AUTHORITY

### Function and Organization:

The Parking Authority of the City and County of San Francisco is directly responsible to the Mayor and the Board of Supervisors for advising and making recommendations on matters pertaining to the off-street parking program. The Authority also acts as an agent for the City and County in carrying out off-street parking programs which are approved.

The Authority is composed of five members appointed for four year terms by the Mayor and approved by the Board of Supervisors. The Authority's staff consists of three members, the Director and two secretaries.

### Budget:

The budget of the Parking Authority for fiscal year 1973-74 is \$52,518 an increase of \$7,533 over fiscal year 1972-73.

### Operating Garages and Parking Lots:

The following parking facilities have been financed and built as cooperative projects between the City and County and private business

<u>Name</u>	<u>Stall capacity</u>
Union Square Garage	1,081
Sutter-Stockton Garage	870
Civic Center Auto Park	276
Civic Center Plaza Garage	840
Ellis-O'Farrell Garage	900
Fifth & Mission Garage	1,788
Golden Gateway Garage	1,000
Japanese Cultural Center Garages	850
Marshall Square Parking Plaza	111
Portsmouth Square Garage	504
St. Mary's Square Garage	828
Forest Hill Parking Plaza	20
<hr/>	
Total	9,068

The following facilities were financed and constructed publicly because private construction was not or could not be undertaken:



PARKING AUTHORITY (Continued)

<u>Name</u>	<u>Stall capacity</u>
Mission-Bartlet Parking Plaza	250
*Lakeside Village Parking Plazas I and II	49
Seventh and Harrison Parking Plaza	<u>270</u>
Total	569

\*Transferred to the Neighborhood Off-Street Parking Program in March, 1965.

The Neighborhood Parking Program, provides off-street parking facilities in the following neighborhood districts:

<u>District</u>	<u>Stall capacity</u>
Eureka Valley (Castro Street)	21
Eureka Valley (Collingwood Street)	21
West Portal (West Portal Avenue)	20
West Portal (Claremont-Ulloa Streets)	24
Geary (Geary Boulevard)	22
Geary (18th & 19th Avenues)	36
Inner Irving (8th & 9th Avenues)	36
Outer Irving (20th Avenue)	25
Noe Valley (24th Street)	16
Portola (Felton Street)	15
Mission (16th & Hoff Streets)	72
Mission (24th & Capp Streets)	19
Clement (8th Avenue)	33
Clement (9th Avenue)	28
*Lakeside (Junipero Serra & Ocean Avenue)	20
*Lakeside (19th & Ocean Avenues)	21
North Beach (Vallejo Street)	163
Marina (Pierce Street)	82
Polk (Redding School)	40
Excelsior (Norton-Harrington Streets)	30
Bay View (Palou-Mendell Streets)	<u>15</u>
Total	759

\*Transferred to the Neighborhood Off-Street Parking Program in March, 1965.

Projects Under Development:

Sutter-Stockton Garage Expansion

A project is being developed to expand the capacity of the Sutter-Stockton Garage by 500 stalls, which would increase the total number of parking stalls to 1,370. The estimated cost of this expansion on the southeast corner of Stockton and Bush Streets is



## PARKING AUTHORITY (Continued)

\$5,100,000.

### Mission-Bartlett Parking Plaza

Action has been taken which will terminate the present lease of the Mission-Bartlett Parking Plaza. This facility will be remodeled and converted to a Neighborhood Off-Street Parking facility consisting of 100 two hour meters and 128 one hour meters.

### Downtown Short Term Parking Plan

The Authority recommended and the Board of Supervisors approved an increase in the downtown parking meter rates, and approved the use of \$280,000 from the Off-Street Parking Fund for 6,000 new meters, provided that all additional revenues be used for the financing of small downtown garages. Toward that end a non-profit corporation has been formed under the name of San Francisco City Parking Corporation. A letter of intent to assist the City and County in acquiring and constructing parking garages in the downtown area has been submitted to the Authority and Board of Supervisors. At present the corporation is conducting preliminary feasibility studies.

### New Sites Under Construction:

#### Yerba Buena Center Garage

It is contemplated that a 1,000 stall garage will be developed to complement the Yerba Buena Center Redevelopment Project.

#### East Bay Terminal

It is proposed that an office complex and a 1,000 stall garage be built at this location when BART commences operations in San Francisco.

#### Performing Arts Center

There are plans for a 1,400 stall garage to be included in the Performing Arts Center complex contemplated for the area west of the Opera House and War Memorial buildings.

#### Environmental Protection Regulations

A matter of serious concern to the Parking Authority arose on October 30, 1973, with the announcement by the Environmental Protection Agency (EPA) of the federal government that regulations would be adopted to implement the national air standards required under the Clean Air Act. The EPA, acting under a court order from the Circuit Court of Appeals for Washington, D.C., was mandated to issue these regulations.



PARKING AUTHORITY (Continued)

regulations.

Among other things the regulations promulgated by the EPA would impose a surcharge on commercial parking spaces and most off-street free parking. The regulations would also require the City and County to adopt a parking plan or in the alternative the EPA would be required to review and issue permits for the construction or expansion of any garage facilities with more than fifty stalls. The parking plan required to be submitted by March 31, 1974, would have to be approved by the Administrator of the EPA. The plan would be required to set forth a complete description of where additional construction of parking facilities would be allowed under the plan and where parking spaces would be eliminated. The plan would state in detail the reasons for expecting any anticipated reduction in parking spaces and would provide that no parking facility could legally be constructed in the area subject to the plan unless such construction is specifically authorized by the plan. The plan would be required to show by clear and convincing evidence that any resulting impact on air quality would be insubstantial.

While the effect of these regulations is not entirely clear at the present time, it can be assumed that an increase in parking fees would be necessary and that this would have an adverse effect on business generally. The cost of doing business in the City for many businesses that provide free parking facilities would be greatly increased. Since the use of all commercial parking facilities would be affected it can also be assumed that revenues and taxes now received by the City would be adversely affected. The imposition of these regulations would also seriously affect future construction projects which contemplate garage facilities.

Acting upon the advise of the Chief Administrative Officer and the City Attorney, the Board of Supervisors authorized the City Attorney to file a suit challenging these regulations. The members of the Grand Jury concur in this action.

Due to the intense adverse reaction to these regulations the EPA has just recently announced that it will delay the imposition of the surcharge, which was to be effective July 1, 1974, for one year. The Grand Jury hopes that during this time more realistic guidelines can be developed, which will achieve the result of cleaner air without crippling the economic life of the City.



PARKING AUTHORITY (Continued)

The members of this Committee commend the members of the  
Parking Authority, the Director and the members of the Authority  
staff for their outstanding work.

Mrs. Artie L. Deo

John R. Healy

Irving S. Levin, Chairman



## HUMAN RIGHTS COMMISSION

The scope and goals of the work of the Human Rights Commission is based on the enabling ordinance (Section 12A of the Administrative Code) which created the Commission and the subsequent non-discrimination ordinance (Section 12B of the Administrative Code) and its amendments. But by far the most succinct and compelling mandate given the Commission is to be found in Section 12A.2 of the Administrative Code (Ordinance 209-64): "Declaration of Policy: It is hereby declared that the policy of the City and County of San Francisco is to act to give effect to rights of every inhabitant of the City and County to equal economic, political and educational opportunity, to equal accommodations in all business establishments in the City and County and to equal service and protection by public agencies, that an instrumentality should be established to give effect to such rights, to eliminate prejudice and discrimination because of race, religion, color, ancestry or place of birth, to inform the inhabitants of the City and County of developments in human relations, to provide expert advice and assistance to the officers, agencies, boards, departments and employees of the City and County in undertaking ameliorative practices to keep peace and good order and to officially encourage private persons and groups to promote and provide equal opportunity for and good will toward all people." The Commission consists of 12 Commissioners, Director William Becker and 13 permanent staff members funded by the City budget. In addition there are 18 positions funded by the Federal Emergency Employment Act, 3 positions by the U.S. Department of Labor, and 25 positions by the U.S. Department of Health, Education and Welfare. Of these latter 25 positions, 22 are hourly students (2 hours per day) 1 is full time and 2 are in the Media Program. The staff structure of the Commission, under the Director, is divided into two sections: Employment and Community Organization. The only supervisory staff currently provided in the table of organization are two coordinators, one for each of these two sections. The number of supervisory staff positions should be increased in order to make better use of the temporary, externally funded and intern staff. The work of the HRC arrives at the Commission through one of five standing committees, an occasional ad hoc committee or one of the ethnic community advisory councils. These structures are composed of varying numbers of industry, labor and community representatives in addition to Commissioners. A major responsibility of senior staff members is servicing these committees of the Commission in order to make possible the optimum contribution of these citizen committee members.

Community Organization includes the following areas: Education, Housing and Urban Development, Youth Work, Community Liaison, Media, Research, Social Programs Police Liaison, Reading Panel



HUMAN RIGHTS COMMISSION (Continued)

and Complaints.

Employment is the area of HRC's greatest emphasis because of the passage of Section 12B of the Administrative Code as well as because of the basic importance of jobs in carrying out the broad responsibilities under Section 12A. The enactment of Section 12A, which created the HRC in 1964, was the result in large part of demonstrations and confrontations for minority jobs. In order to strengthen this basic thrust, Section 12B was enacted in 1966 to require non-discrimination of all city contractors and to hold HRC responsible for enforcing this requirement. Amendments in 1968 spelled out more specifically the requirement that contractors should engage in affirmative action and be monitored in this by the HRC. In 1972 amendments added sex and sexual orientation to Section 12B as classes against whom discrimination is prohibited in addition to the older classes of race, religion and national origin. It should be noted that at no time in the history of Section 12B was staff provided in the City budget specifically to enforce it. Its enforcement today is based almost solely on four EEA funded affirmative action officers, one federal EEOC funded representative and one clerical support position for each of these programs. The additional areas of sex and sexual orientation have added substantially to the work load for all the staff involved in contract compliance. HRC's emphasis in employment is on affirmative action, on job development and on developing procedures for the most effective recruiting and selection of minority job applicants. At the present, employment activities under Section 12B (non-discrimination of city contractors) are being addressed to contractors in the following industries:

- Construction: the larger contracts City-wide, and all contracts in the Bayview-Hunters Point area.
- Banks
- Insurance Brokers and Insurance Carriers
- Architects and Engineers
- Fisherman's Wharf Restaurants
- Miscellaneous Suppliers, e.g. paper, stationery, food, parking, Candlestick Park Concessionaires
- Airport concessionaires and the airlines will be monitored when the ordinance is amended, if staff is available.

Under Section 12A, (Equal Opportunity and Affirmative Action) HRC is currently working on a number of programs with many different formats, in a largely voluntary framework, including:



HUMAN RIGHTS COMMISSION (Continued)

Hotels

Department Stores (including the annual Christmas Jobs program)

Supermarkets

BART

Jobs in Action for Latin Americans (referring Latin Americans to federal, state and City civil service jobs. (This program is funded by the Dept. of Labor.)

During the year, this Grand Jury Committee has attended the Human Rights Commission meetings, met with the Director and staff, and inspected the facilities located in the Grant Building, at 1095 Market Street. Numerous HRC committee reports on the various programs do reflect that the activity and results of this Commission are of benefit to the citizens of San Francisco. This Grand Jury Committee can not substantiate the negative recommendations made by the 1972 Grand Jury Report. We believe that the Commissioners should be commended on their excellent contributions to the community. Director Becker impresses us as a man dedicated to the protection of the interests and civil rights of those who are not favorably privileged. This Committee received the utmost courtesy and cooperation in our investigation of the Human Rights Commission.

The Commissioner does have a number of deficiencies, as would normally be expected in such area of controversial responsibilities. On the basis of constructive criticism, we believe that a review of program accomplishments would reflect the feasibility of continuing effort in special programs not supported by industry (i.e. The Christmas Job Program decrease in job openings). Also, priorities should be established to ascertain that all groups are equally represented by HRC and not just the minorities of specific races, or in selected situations.

THE GRAND JURY THEREFORE RECOMMENDS:

1. The Human Rights Commission must fulfill its obligations to all of the citizens of San Francisco. One race must not receive a disproportionate amount of consideration as opposed to all of the other races that make up our great cosmopolitan City.

If the Human Rights Commission is to remain a viable arm of our City government, its credibility and integrity must remain beyond question. We recommend that the Director and the Commission avoid placing themselves in any advocacy role that would evoke this type of criticism.

2. Program reviews be initiated to determine the accomplish-



HUMAN RIGHTS COMMISSION (Continued)

ment in proportion to the efforts expended in any peripheral programs.

3. Continuing efforts placed on industry to grant the Human Rights Commission the right of first referral in employment practices where qualified applicants are available.

4. Further utilization of volunteers, interns, and special projects personnel is drastically curtailed within the HRC because of the shortage of space, office equipment, and office furniture. We recommend the rental of five additional offices on the 4th floor of the Grant Building. (In some instances, 3 staff members are sharing one small office) Current federal and foundation funded programs do not pay for space. Corresponding additions of office equipment and furniture for these offices are included in this recommendation.

5. Strengthen, enforce and monitor supervisory controls of the total department. The Director recognizes this need, and has previously requested an additional staff member as Deputy Director. We recommend this position be filled to increase the supervising capacity of the department and make it possible for the Director to devote more time to negotiations in the labor-management area and community conflicts.

Lawrence M. Berrios

Irving S. Levin

Waunda Thomas, Chairman



## PUBLIC UTILITIES COMMISSION

Article III, Chapter 5, Part Ten, of the Charter of the City and County of San Francisco establishes a Public Utilities Commission (P.U.C.) of five members appointed by the Mayor. The P.U.C. has charge of all public utilities used, owned, acquired, leased or constructed by the City excepting any airports. Section 3.591 of the Charter provides that the P.U.C. shall have charge of all valuation work relative or incidental to purchase proceedings initiated by the City and County for acquisition of any public utility.

The P.U.C. is required by Section 3.593 to appoint a Manager of Utilities who shall be the chief executive of the Commission and shall, subject to the approval of the Commission, have the management of all utilities, bureaus, and operation under its jurisdiction. The present General Manager of Utilities is John D. Crowley, a perceptive, forward-looking executive.

Past reports of the Grand Jury have tended to identify mainly with its operating departments, but the P.U.C. as the cohesive force which holds these departments together deserves special attention in its own right.

### OBSERVATIONS AND RECOMMENDATIONS

1. The P.U.C. operates a data processing system for its departments which, while compatible with that at City Hall, is separate and apart. We believe that the continuance of this separate unit is essential to the efficient operation of the departments under the P.U.C. To date, the data processing system has successfully operated for the Water Department and Hetch Hetchy. Its facilities have been offered to the Municipal Railway and, while initially rebuffed, except for payroll, we feel that the P.U.C.'s data processing will ultimately prove to be a significant asset to the Muni's preventative maintenance program. Ultimately, one would hope that the P.U.C.'s data processing system could produce a combined water-electrical bill for San Francisco citizens.

It is of cardinal importance that the consumer oriented data processing capability of the P.U.C. continue to be directed toward its primary objective of serving its consumer related targets rather than merely being interfaced with City Hall's own computers.

2. The P.U.C. has gravitational forces both towards City Hall where it keeps its present modest facilities and toward the business community and its citizen-patrons. The Grand Jury recommends that City Hall affairs be conducted out of the existing quarters, that the Water Department and Hetch Hetchy be located in a City-owned structure in the downtown area and that the Muni be centralized at



PUBLIC UTILITIES COMMISSION (Continued)

the new San Jose-Geneva facilities.

3. In years past, the lodgings at Hetch Hetchy were often used for the accommodation of guests whose utilization of these facilities would tend to give them a greater awareness of San Francisco's Sierra heritage. Today's egalitarian ideas have limited this oft-times beneficial usage. While critics may protest, surely it is in the City's best interests to display its Sierra treasures to the maximum possible audience. Accordingly, we recommend increased exposure of these facilities.

4. This Grand Jury has made recommendations concerning the acquisition of the electrical distribution system in the City in order to comply with the Raker Act of 1913 as confirmed by the United States Supreme Court in 1940. We have heard a lot of talk about the necessity of feasibility studies, enormous litigation, complicated legal affairs, et cetera. This is precisely why we recommend initial leasing of the facilities at Pacific Gas and Electric's rate base plus company-wide rate of return. This leasehold period will BE the feasibility study. If the experience indicates that it would not be economic for San Francisco to ultimately own the electrical distribution facility in the City, the lease can be terminated and P.G.& E. and the City must then jointly petition Congress for an amendment to the Raker Act which would permit some of the existing arrangements to continue. However, since P.G.&E. has not offered to abandon or sell this distribution system (as has been the practice of transportation utilities moving commuters) we must surmise that the electrical distribution system can hold its own and more than likely return a good profit, even after a more than generous purchase from P.G. & E. The Grand Jury's recommendations have been met with the expected counter-bluster of "years of litigation" and "financial impracticality" from sources who would normally be anticipated to oppose these recommendations. A much more constructive approach from this opposition would be a cards-on-the-table approach where the City would be given the complete facts as to the cost of the assets involved in the distribution system, its revenues, and the rate of return received, thereby enabling the City to determine the feasibility of the Grand Jury's recommendations without incurring costly consultant's fees. Many other companies have recently come to the conclusion that complete disclosure of their financial affairs can have a beneficial effect on their public image and we are sure that the P.G. & E., as a regulated public utility will soon determine that it's best interests are served by making a complete voluntary disclosure to the P.U.C. of the details of its investment operation and profits in the City and County of San Francisco.

Irving S. Levin

Albert Pollack

Mrs. Jean P. Sullivan, Chairman



## SAN FRANCISCO UNIFIED SCHOOL DISTRICT

The School District, on analysis, is very much like an intricately woven tapestry. All its parts are so interrelated that it is not possible to discuss any one part without considering its relationship to the other parts, and the further relationship of the School District to all of the parents of all the students.

The essential components of the San Francisco Unified School District (S.F.U.S.D.) are four: 1) Board of Education; 2) Superintendent of Schools and Central Office; 3) the schools themselves and 4) the students and the parents. By law, the Board of Education has the ultimate responsibility in establishing school policy. The implementation of its decisions is given to the Superintendent of Schools and Central Office, through whose directives the schools take their guidance.

The Board of Education is now an elective board, in theory better able to serve the diverse demands made on it by the heterogeneous society that now composes the population of San Francisco.

In a meeting with this committee of the Grand Jury, the Board members described themselves as the "eyes, ears and brains" of the community. The Board meets in plenary session and in various smaller committee sessions open to the public. It is through the committee meetings that the public makes known its desires and demands. The recommendations of the smaller committees are voted upon by the full board. Any commands sent to Central Office are relayed to the schools, and the results of these decisions are found in the schools.

It is with the results of the decision-making process that the tapestry of education, with all its good and bad points, must be considered. Since the Board of Education is an elective board, its selection, in effect, is no more than the result of a popularity contest. We should note that there are absolutely no educational qualifications established for election to the Board. The competence of such a Board, then, could be open to debate. Further, the Board serves only on a part-time basis, thus rendering it still less able to understand fully the complexities of education in San Francisco.

This lack of understanding was brought out to this Committee by the members of the Board of Education when, in their meeting with us, they admitted that they did not understand one of their prime responsibilities: the annual school budget of \$154,000,000 , yet they felt they had to approve it. A second area of prime responsibility is in the implementation of integration, which a previous Board had initiated as the "Horseshoe Plan". This plan has proved to be both



SAN FRANCISCO UNIFIED SCHOOL DISTRICT (continued)

inordinately expensive and in many respects a failure.

The school budget is drawn up annually in Central Office by obvious non-experts. The absence of proper accounting procedures has allowed so-called "surprising discoveries" of surplus sums as great as \$11,000,000 at the end of the 1972 school year and another surplus of \$8,000,000 at the end of the 1973 school year. In the face of such inability to formulate a budget with any greater accuracy than this, we would strongly recommend that some fiscal propriety be instituted by the immediate hiring of a qualified accountant and budgetary expert responsible only to the Board of Education who could assist the Board in drawing up and understanding the "ins and outs" of a school budget. His salary at almost any level could easily be paid for by the undisputed savings he could effect in putting together a correct and fiscally sound school budget.

The Board of Education has not really complied with the law on integration of elementary schools. To date, only two-thirds of San Francisco elementary schools show compliance with integration guidelines. The busing plan itself was so poorly drawn as to have led to a great deal of unnecessary busing. It has, in addition, led to a disrupting of schools which had been naturally integrated such as E. R. Taylor and Visitacion Valley, but now show racial imbalance. The essential failure and exorbitant cost of the busing plan should be a stimulus to improve the situation, but it would seem that the Board proposes to continue on the present course to the bitter end. From a current expenditure of \$2,500,000 to do a very unsatisfactory job of busing, the Board now envisions that in the future the cost of busing contracts will rise to over 7 million dollars since junior and senior high students will be bused to comply with the integration law.

As another outstanding example of how the taxpayers' dollars are spent, consider the case of Community School II -- 97 students are bused to this school at a cost in excess of \$60,000 per year. This is a school, by the way, where parents have a fairly free hand in deciding what subjects their children will be taught, all at the taxpayers' expense! In effect this has been made into a private school subsidized by tax money.

We have no quarrel with integration of classes, but we do have great reservations about the methods employed and costs entailed. We can see no valid reason why junior and senior high school students should not or could not utilize our own public transportation system - the Muni Railway - to travel to their assigned schools, at far less cost to the taxpayer. To judge from past performance and the experience gained, the present carrier has been operating in gross violation of its contractual obligations and should be dismissed. The Board of Education apparently refuses to understand that truly concerned parents are so unhappy with the failures of busing and education in general in our schools that they continue to withdraw their children



SAN FRANCISCO UNIFIED SCHOOL DISTRICT (continued)

from the schools. The enrollment at the elementary level, principally, has dropped approximately another 3,000 children, and the School District admits that it expects yet another drop in the near future. About 5% of this drop in enrollment can be attributed to a falling birth rate; the remaining 95% are defectors from our school system. Under such trying circumstances, we should expect some indication from the Board of Education and Central Office that they are working in concert to staunch this vital loss of students. We are not aware of any program which in any way recognizably leans in this direction.

Many teachers to whom we have spoken show a deep and abiding dedication to their profession. Their sole interest in the schools is the proper development of the child. Unfortunately, we have also found many others whose principal interests are not directed toward student performance. Rather, these latter teachers seek better pay for less work and fewer hours of work. These teachers have made several points to us, difficult to dispute: that violence, vandalism and truancy have become all too often a way of life in the schools, with little being done to correct these problems; that Central Office is not responsive to appeals for help in these situations; that all too many parents show no deep concern for their own children. Why, then, should these teachers dedicate themselves to a losing proposition? They have become cynical enough to enjoy the prestige and pay of a teacher, but the interest ends there. In fact, there is so little interest shown, in our opinion, that many teachers and even principals find it more rewarding, personally, to live outside San Francisco in the many "bedroom communities". Such professionals are in their own way neither fish nor fowl--as workers in San Francisco they can have little feeling for the community life where they reside, and as dwellers outside San Francisco they cannot conceivably have the best interests of San Francisco at heart. We would urge the Board of Education to require that teachers and principals be required to become part of this community, to share in its trials and tribulations, as well as in its hoped-for successes. While the deep disillusionment and loss of idealism is both frightening and tragic, we do not imply that such a loss of spirit is endemic in San Francisco, for we have visited schools in this district where teachers and students are working in harmony and peace; where learning is going on and where there is an obvious feeling of pride and accomplishment. This feeling is reflected from principal through teachers to the custodial staff of the school buildings.

In this context of school activity, we have learned of a newly developed Emergency Operation Plan, in case of disaster situations in our schools. Very simply, the plan envisions the giving of First Aid instruction as part of the curriculum. Teachers themselves would be given a complete course in First Aid. No teacher would be hired unless certified in First Aid techniques. The training program would be undertaken by Red Cross volunteers at no cost to the City. The plan makes eminent good sense inasmuch as everyone will benefit from it, teachers and pupils alike who will have learned a valuable



SAN FRANCISCO UNIFIED SCHOOL DISTRICT (continued)

skill which can always prove useful. We urge adoption of such a plan by the S.F.U.S.D.

There is one further point that should be made concerning teachers. Certain site administrators are not pleased with the quality of some of the people employed by the S.F.U.S.D. as probationary teachers. Although the principals attempt to reject such unsatisfactory teachers, they complain that they meet with great opposition both from Central Office and from organized teacher groups. In the face of such opposition, some principals admit that they allow discretion to become the better part of valor. The end result is that some of these inept teachers proceed through their probationary period and on into full tenure.

We are well aware of the fact that there are teachers who should not be teachers. We cannot estimate their number, but it is not too much to say that even one unqualified teacher is one too many. Certainly Central Office can develop a more stringent screening procedure to prevent even considering less than the best candidates for probationary status, and they should do so at once.

Perhaps as a corollary to the loss of dedication among teachers there has been a rise in teacher unionism. The teachers feel an overwhelming need to band together to secure better working conditions for themselves and safer schools for everyone. The Grand Jury does not dispute these needs; we do fear, however, the inevitable result: strong, centralized unions which can and will dictate to school boards not only working conditions and pay schedules, but also the subject matter to be taught. There is danger in this movement that public education as we have known it may be on the way out.

The general disaffection of students for their schools as evidenced by truancy and vandalism may, in yet another way, lead to the demise of public education as it has evolved over the years.

A very tentative trial balloon has been raised to consider ending compulsory education at age 14, rather than at age 16. The rationale is that since schools do not enforce attendance anyway, why pretend that any effective teaching or learning is going on after age 14? The implications of this trial balloon could have widespread repercussions if made into law: 1) the need for teachers and administrators would fall precipitously, locally and nationally, 2) the "school industry", by which we mean manufacturers of school-related items, such as books, desks, lamps, audio-visual teaching aids and so on, would inevitably undergo a period of great readjustment and dislocation. Of course, the children themselves might want to take up vocational work. This teaching would have to be undertaken by industry and business itself, with its own resources. Without belaboring or expending too much on this theme, we could easily foresee a return of the full fledged apprentice system to American life, paid for by far more demanding private business corporations. Some teachers, no longer needed by



SAN FRANCISCO UNIFIED SCHOOL DISTRICT (continued)

schools, might well find employment in the private sector as vocational instructors. Of course, they would not enjoy the benefits of tenure as at present, nor would they have the prestige attendant on the title of teacher. Teachers might have a great problem in adjusting to such new terms of employment, assuming they found such employment at all. The school industry complex would, of course, readjust more easily to any new conditions relative to education. This sector would be the least affected if such scholastic changes were to take place, inasmuch as workers in this field are not "professionals" in the same sense as are teachers and administrators.

As previously mentioned, this whole concept was proposed as a trial balloon. Persons who care about education may wish to follow, over the next few years, the development of this proposal to fruition or rejection. It may be significant that at a time when the less industrialized and poorer nations of earth are striving to raise educational standards so as to cultivate minds, this country is apparently looking in another direction.

As if the elementary school teachers and administrators did not have enough to concern them with the behavior and the achievement level of their pupils, they have had to undergo a further analytical study by Dr. Lucy Mercer, Professor of Education at the University of California, Riverside, whose report was published in September, 1973. The study itself divided the elementary school children into four ethnic groups: 1) Anglo; 2) Black; 3) Mexican-American and 4) Asian-American. The general findings as submitted in summary form, purport to show that Black and Mexican-American children have a low self-esteem as compared to Anglo children and further, that reading achievement levels of Anglo children are significantly higher than those of the other two groups. The differences are ascribed to two principle factors: 1) a feeling of inferiority imparted by Anglo children, even at the 3rd grade level (!), and 2) to the socio-economic level of the particular groups. Nowhere in the general findings is there any mention of the Asian-American child. It is as though he did not exist for the purposes of this report!

Historically, however, the Asian-American has not presented a problem to the School District. While self-esteem and reading levels of Anglo and Asian-American children compare favorably, the Asian-American child's culture, home environment and socio-economic background are often very different from the Anglo's. No mention is made of these findings in the Mercer report. Apparently, since these findings cannot easily be explained when compared to differences between Black and Mexican-Americans on the one hand and Anglos on the other, the best thing to do was to ignore them. This lack of scrutiny in one important aspect of the study leaves the entire study open to serious question. Furthermore, even if we wished to support the "findings" of the Mercer report concerning Anglo "unfriendliness", a very fundamental question was neither asked nor answered: "How did such a situation develop?", certainly it did not exist before these children became



SAN FRANCISCO UNIFIED SCHOOL DISTRICT (continued)

pupils. Also, how can Anglo third graders take advantage of "Status" (a word used in the Mercer report) to impart a feeling of inferiority to Black and Mexican-American children?

In the wake of the trilogy of violence, vandalism and truancy in our schools, a joint program was developed among police, schools and juvenile authorities. The program had a two-fold purpose: 1) to pick out current offenders for counseling and guidance, and 2) to nip in the bud incipient misbehavior of whatever kind. The program came under immediate attack as being directed against certain minority groups, whereas it was very obviously aimed at any wrongdoer. Most unfortunately for all concerned citizens, this program, which held great promise to restore a degree of stability and order to school sites and to areas adjacent to school sites, was rejected. The Board of Education bowed to pressure tactics by small shrill groups of opponents of the program, who thought that anything that would prevent violence and vandalism in the schools would employ totalitarian methods. By caving in to pressure as it did, the Board of Education is forcing school administrators to continue using the same methods of maintaining order which have proved utter failures. In short, the unruly element has been given an explicit license to continue to act as they have in the past.

We note too, that the Board of Education expresses itself in contradictory terms: it refuses to allow a program aimed at halting truancy in the schools, which runs at an 18% average, or more than 6,000 students a day, yet envisions the RAISING of reading standards in 4 years to a ninth grade reading level to qualify students for a high school diploma. How, we wonder, do they hope to achieve this level of proficiency if the students don't even attend classes?

In one of our earlier reports, we discussed at some length that entity known as Central Office. Further elaboration is necessary to make its functions clear. In all its actions, Central Office is responsible to the Board of Education and ostensibly acts only at the behest of the Board. Our impression of Central Office, however, is that it acts in a manner very independent of the Board, and that the Board does not attempt seriously to assert its legal authority.

The extremely overgrown core of Central Office administrators, secure as they are in their permanent and contract positions, have a knowledge of school affairs that no part-time Board of Education could master in the short time that the present Board has been in office. Under these circumstances, the actions of the School District are in great measure the actions of the Central Office oligarchs. In short, a case of the tail wagging the dog. We can point out several areas where this is so:

- 1) In the application of federal funds to the many varied educational programs, such as the Bi-lingual programs, the E.S.L. (English as a Second Language) program and vocational training programs, some



SAN FRANCISCO UNIFIED SCHOOL DISTRICT (continued)

of which have had a degree of success, but most of which have not worked well.

- 2) In the matter of the school budget as "compounded" by Central Office, and already discussed.
- 3) In the continuing failure by Central Office to formulate any cohesive plan of education, which failure has been pointed out repeatedly but to no avail. The Legislature of the State of California mandated, beginning in 1968, educational goals for all California schools. Five years later, we are informed that this year, in San Francisco schools, reading is to have top priority. This does not sound like a plan at all, but a reaction to a crisis situation.
- 4) In the protection offered to ineffective school administrators who are brought into Central Office headquarters where their ineptitude can be hidden away. Need we mention again that through one means or another there are now about 94 Central Office administrators where before they numbered only about 40 and that this extravagant development has taken place during a period of time in which our school enrollment has fallen about 20%?
- 5) In the continuing "blizzard" of press releases announcing imaginative or "creative" new educational programs by Central Office.

We wish to explore some of the points we have mentioned. The budget has grown into an immense expenditure for far less than adequate results. It has given a livelihood to over 7000 permanent employees and about 5000 para-professionals who have been hired to work in various federally-funded programs, which still do not show results. A budget of this size must be brought under fiscal control. The sum of \$154,000,000 a year for deficient education translates into about \$2,000 per year per each student in our schools. It should be apparent that the taxpayers are not getting their money's worth. An accountant responsible to the Board of Education should be able to bring some degree of understanding and responsibility to this huge budget.

Because federal funds are also utilized in the so-called educational process, a huge permanent administrative staff has been developed which does not teach. Rather, subterfuges have been resorted to which result in duplication of effort. Many of the para-professionals who were hired for extra work have been blanketed into the Civil Service system, and there they will remain for years, as a burden to the taxpayer. Let the taxpayer consider what relative costs of education are: 16% of the budget is expended on the students for all their needs, but the balance of 84% is expended on personnel costs. Again, an accountant might find an answer to this unbalanced spending.

We have already indicated that integration at the elementary level leaves something to be desired. Integration for all San Francisco schools is planned for September, 1974. With the deadline just one term away, little is being done, apparently, to work out a



SAN FRANCISCO UNIFIED SCHOOL DISTRICT (continued)

just and efficient program. Should this actually be the case, the city would lose \$2,000,000 in federal funds for the lack of an acceptable secondary school desegregation plan. This sum will inevitably be made up by local taxpayers.

To finish this tapestry, we must consider how so much can take place with so little apparent complaining. The ultimate form of complaint has been taking place for some years now, the outflow of the middle class to other areas as their adverse response to the education offered in San Francisco schools. For many other parents, their unhappiness is something they live with and do not act on. For yet other parents, the schools have become a second home for the child. There he can be watched and safeguarded and hopefully taught something, before returning home at night. In the abdication of the parents from their responsibilities to control and discipline their children, in the insistence that their children receive the benefits of all kinds of remedial and tutorial programs, the schools have not been served well by the parents.

We have noted that many parents of foreign birth and some even of native birth, have far different cultural and social values from traditional American values. Our schools have at least taken these language differences into account and have offered bilingual educational programs as well as ESL (English as a Second Language) programs. These are, by and large, the federally-funded programs, and have been undertaken in the best American tradition of helping the "underdog". This Grand Jury does not feel that the bilingual programs are succeeding as well as they should. The concept of keeping the educational process going in a foreign tongue (foreign to Americans) serves only, we feel, to keep the young pupil from becoming assimilated into our existing society, which is English-speaking. It must be emphasized that the young non-English speaking pupils have come to San Francisco not as tourists or visitors, but as permanent residents and even citizens. Thus, as citizens, present or future, it is in their own best interests, as well as in the best interests of all San Francisco citizens, that these pupils learn our language and our social and cultural values.

Objections have been raised that to force English on these young pupils would deprive them of their own cultural values. This is nonsense. The existing home environment inevitably keeps alive the traditional values of their native cultures. We do not consider the instruction of English as an attempt to deprive people of their own cultural heritage, but as an effort to bring them into the main stream of our own San Francisco life patterns.

We emphasize this great need to bring the non-English speaking people into greater harmony with our established ways, because we feel that much of the trouble in our schools stems from a fundamental lack of understanding of our way of life. This failure to understand leads to detachment and alienation and even to hostility between



SAN FRANCISCO UNIFIED SCHOOL DISTRICT (continued)

teacher and school on the one hand, and the pupil on the other. The thrust of the foregoing argument is to recommend that less thought be given to bilingual programs and far more time devoted to the teaching of English pure and simple, to the non-English speaking pupils. We feel that only in this way can disaffected students come to feel some degree of belonging to their new society. Hopefully, they may even wish to participate in the life of their new community once they have learned to communicate with their fellow citizens.

The parents of such children must also realize that their own attitudes have had negative effects on their children, vis a vis the schools. Through their children, parents too, can be made to "see the light", and the many complaints we have heard from teachers and principals alike on the subject of parental lack of care, failure to inculcate respect for teacher and school site, and the high rate of truancy and vandalism may hopefully start to recede.

While we can hope for improvement, we must still deal with the realities of the school situation. In an attempt to make school more palatable to the disaffected marginally-interested student the S.F.U.S.D. has issued a guidebook on "Students' Rights". We have read this booklet several times, and conclude that the emphasis is placed on "Rights" with a light touch on responsibilities and obligations. Any parent who would subscribe to this misplaced emphasis is not doing his child a favor, for given this situation, the student with no knowledge and no skills becomes the master. He alone decides whether to obey or not, to learn or not, to attend class or not, all without apparent penalty. As there is a discipline to life and living in a society of men and women, so must there be a discipline in the life of a school.

Every teacher and every principal to whom we have spoken has pointed out bitterly that discipline in the schools is virtually non-existent. From our own observations, we would agree with them. We recommend, as have previous Grand Juries, that principals be vested with the authority to discipline their students as one means of restoring peace and sanity in the schools.

We shall review our recommendations here:

- 1) Implicit in our discussion of the Board of Education is the thought that more than mere citizenship be considered as qualification for election to this Board.
- 2) Development of alternate plans of busing not only for elementary, but also for secondary school pupils, utilizing the Municipal Railway.
- 3) Teachers and principals should by law be required to live in the city where they work, so as to contribute and add to the



SAN FRANCISCO UNIFIED SCHOOL DISTRICT (continued)

quality of life in San Francisco.

- 4) Adoption of the Emergency Operation Plan to teach First Aid techniques to pupils and teachers alike would be praiseworthy.
- 5) Central Office should develop a stringent screening method to keep out unsuitable potential teachers.
- 6) The Board of Education must develop quickly a just and equitable secondary school desegregation plan.
- 7) More emphasis be placed on the teaching of English to foreign language speaking students, so as to bring them into our life patterns more quickly.
- 8) Principals should be granted the right to discipline unruly students in their schools.

This has been a long and involved discussion of the School District. We described the School District as a tapestry, intricately woven. A careful reading of our attempt to show it in its component parts will reveal that it is a tapestry woven of one long, continuous thread, with no beginning and no end. Every part depends on every other part, and when one part falters, the entire picture falls out of focus. The picture at this moment is not in clear focus; heroic measures may yet save it for posterity. Time will tell.

Mrs. Jean P. Sullivan

Stephen P. Lazzareschi, Chairman

NOTE:

Inasmuch as this Grand Jury will serve an additional six month period, we have decided not to do a cursory report on the San Francisco Community College. In the months ahead, we shall attempt a comprehensive and in-depth study of this institution, and reports will be forthcoming on this study.



## OFFICE OF THE MAYOR

Probably the most demanding job in our City government is currently being filled by the Honorable Joseph Alioto, Mayor of San Francisco. The Grand Jury is reminded of the famous Thoreau quotation "Some would find fault with the morning-red, if they ever got up early enough . . . The fault finders will find faults even in paradise." This is not to say that San Francisco is a paradise; far from it. It is to say that the Mayor has performed in a very capable manner under very difficult conditions. There isn't a large city in the United States that isn't undergoing tremendous turmoil and change, and San Francisco is a prime example of this phenomenon. This report will endeavor to enumerate some of the programs the Mayor has activated to minimize the turmoil and direct the change.

## OFFICE OF ECONOMIC DEVELOPMENT

A newly formed office this past year, the Economic Development staff is working with the Mayor's Business and Industry Advisory Committee in developing an Economic Development Plan to attract industry to San Francisco.

The office has also provided leadership in the battle to retain Hunters Point Naval Shipyard as a viable economic force in the City. The Office of Economic Development has already won major concessions from the U.S. Department of Defense and principal developers to represent the City's interest in the shipyard. This office has secured \$500,000 from the U.S. Department of Labor for retraining shipyard employees. The staff of this office continues to work with the Department of City Planning on a preliminary Reuse Plan for the shipyard, and is applying for a \$250,000 grant from the Economic Development Administration to finalize the plan.

## MANPOWER PLANNING COUNCIL

In the field of manpower, progress has been made to insure the Mayor's role as Prime Sponsor for manpower programs under federal legislation. The effective date will be early in 1974. The planning has involved the allocation of manpower funds to develop coordinated manpower systems specifically directed at the employability of those persons not readily employable in the present labor market. There is a particularly close cooperation developing among the members of the Manpower Planning Council, the Community College District and the Unified School District to develop a strong coordinated vocational program.

## EMERGENCY EMPLOYMENT OFFICE

San Francisco was one of the seven U.S. cities this year



## OFFICE OF THE MAYOR (Continued)

to receive a citation from the U. S. Conference of Mayors for excellence in its operation of the Emergency Employment Program. More than a quarter of the 1600 persons who received on-the-job training in the program have won permanent civil service jobs in City, State and Federal governments. An additional 525 are still employed through the program in health inspection, drug abuse programs and in helping to clear logjams in the courts and civil service testing programs.

## CRIMINAL JUSTICE COUNCIL

As Chairman of the Criminal Justice Council, the Mayor has played the prime role in coordinating all criminal justice agencies and community groups to plan and expend federal funds for the reduction of crime. San Francisco has enjoyed a steady decline in its crime rate. Since 1969 the crime rate has dropped a total of 32% through 1972 (1970: 11% decline, 1971: 0% decline, 1972: 19% decline and 1973: 2% decline.

The City's Criminal Justice Plan was cited as outstanding by the California Council on Criminal Justice and approved for two years, rather than the usual annual approval. Funding cuts have been restored on the basis of these achievements.

## OFFICE OF COMMUNITY DEVELOPMENT

This year a Community Development Office financed by HUD has been established. In addition to providing the principal staff support to the Mayor on General Revenue Sharing and all revenue sharing proposals, this office has the prime responsibility to review and make recommendations on all HUD related regional government and community development issues.

The Office operates with the advice of the Technical Policy and Citizens Advisory Committees. A Community Development Program Report and a Housing Strategy Statement are now being finalized.

Finally, the Office is working closely with the Department of City Planning on a grant from the Federal Regional Council to explore an Annual Development Program for the City. In addition to a final set of recommendations unanimously approved by the Mayor, three background reports were prepared on Municipal Management Systems, the Flow of Federal Funds, and Citizen Participation. The Mayor has met with the Federal Regional Council to explore ways of implementing various recommendations from this study in the next year.

## GOLDEN GATE PROMENADE

This year the Mayor initiated the first public beach to be opened to San Franciscans in more than twenty-five years; a



## OFFICE OF THE MAYOR (Continued)

dramatic 3-1/2 mile shoreline walk called the Golden Gate Promenade. The Promenade is under the jurisdiction of the Golden Gate Recreation Area and is proposed for a massive landscaping and tree-planting program as part of the San Francisco's Bicentennial Celebration in 1976.

## EXPANSION OF ARTS CENTERS

The Mayor's Office initiated two ambitious programs to expand art facilities in the City. A policy statement has been approved to set aside \$1 million per year for five years from federal revenue sharing funds to match an additional \$13 million to be raised privately to construct a new performing arts facility.

In addition, with the Mayor's active support, a program was developed to open eight new neighborhood cultural centers. Proposed sites include Fort Mason, the National Guard Armory, the South San Francisco Opera House in Hunters Point, and the Straight Theatre in the Haight-Ashbury.

## COMMISSION ON AGING

The Mayor's Office of the Aging was superceded this year by the creation of a Commission on Aging. The commission sees itself as a liaison agent coordinating various state, local and federal programs. It has as its priorities; income, health, education, inter-governmental priorities, transportation and spiritual well-being.

## PROGRAM BUDGETING

The Mayor's Office took the initial step toward an experiment with program budgeting this year. The first allocations for federal general revenue sharing were used as the primary focus for a program budget policy statement discussed at a number of neighborhood hearings. The finally approved set of priority projects were then budgeted during the 1973-74 fiscal year.

Four new program budget analysts have been authorized for the Mayor's Office to further expand the working experience of the office within the context of program budgeting. These analysts have not been hired at the writing of this report.  
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## HOUSING AND URBAN DEVELOPMENT

San Francisco was the only city to receive 3 HUD Awards for Design Excellence in conjunction with the Urban Design Plan. Further, the Urban Design Plan, the only official city plan in the nation which established height and bulk limitations, was singled out for its excellence by the American Institute of Planners.

The Mayor's Office effectively opposed the termination of



OFFICE OF THE MAYOR (Continued)

the federal commitment to build 3000 housing units in Hunters Point. In deliberating directly with Secretary Lynn of HUD, he won a renewal of the prior federal commitment to the City.

A relocation and rent assistance program for residents who need emergency housing assistance, is also administered by the Mayor's Office.

TAX RATE

The Mayor, in cooperation with the Board of Supervisors has reduced the tax rate for the past four years as follows:

<u>YEAR</u>	<u>TAX RATE</u>	<u>YEAR</u>	<u>TAX RATE</u>
1970	\$12.82	1972	\$12.59
1971	12.73	1973	12.25

While the Grand Jury is fully cognizant of the relationship that exists between the tax rate, the assessed valuation and the tax exemption program we think it is significant that there is a recognizable downward trend in the tax rate.

RECOMMENDATIONS

1. The most critical situation facing the City is the deterioration of its public school system. The middle class (especially white) continue to leave the City in unprecedented numbers because of our faltering school system. Constitutionally the Mayor is not allowed to control the direction of the schools. He can, however, work with his very capable liaison man, Mr. Armand DeMartini, to motivate and inform the Board of Education concerning the net effect school policy has on the progress (or lack of progress) that their decisions have on the potential of San Francisco. The dissatisfaction with the school system is genuine and deep rooted. It will require all of the charisma and leadership that the Mayor can constitutionally provide to extricate our public schools from the mediocre position they now enjoy.

This must be among the Mayor's highest priorities.

2. The Mayor must continue to assume a leadership role in the energy crisis. He is to be commended for his forthright statement on the leasing of 4,000 acres of land of known geothermal capacity to the Union Oil Co. by the State of California. In the Mayor's opinion the lease agreement violates both the Sherman Antitrust Act on the federal level, and the Cartwright Act on the state level.

The 7% employment factor that will result from the energy crisis is a conservative one. Plans for a massive public works program



OFFICE OF THE MAYOR (Continued)

must be initiated immediately to combat not only the unemployment factor but to push new and innovative mass transit systems. The Mayor has already offered significant leadership in this area, and we recommend he double and re-double his efforts in order that a reasonable solution to this problem may be found.

3. No longer can the City defer a comprehensive maintenance program for all of our public facilities. The Mayor must give a high priority to maintenance in the upcoming budget. To continue the austere maintenance budget is to practice false economy.

4. The Mayor should immediately consult with: Mr. Wallace Wortman, Director of Real Estate; Dr. Stephen Morena, Superintendent of Schools; Honorable Clayton W. Horn, Presiding Judge of the Superior Court; Thomas J. Mellon, Chief Administrative Officer and other appropriate City officials to make plans for the utilization of the property known as the "Commerce High Athletic Field". This valuable piece of property is presently being used as a parking lot while the City is paying untold thousands of dollars to rent office space.

The construction of a City office building on this site would serve the following purposes:

1. It would alleviate the over-crowded conditions at City Hall and centralize those City facilities that are now spread all over town.

2. The vacated City Hall space could then serve as an addition to the courts and allied services.

3. It would provide compact office space for the school system and help to remove the stigma now associated with 135 Van Ness Avenue.

While this recommendation seems to be one that could and should be accomplished easily; such is not the case. To organize all of these administrators and control the resulting departmental by-play is a monumental task. If anyone can provide the leadership for the implementation of this project, it is our dynamic Mayor. In retrospect we remind the Mayor of Thomas Carlyle's famous quote; "Every noble work is at first impossible".

Part and parcel of this recommendation is funding. The City and the School Department presently have properties that are surplus; such as the unoccupied Grant School and the property at Fifth & Market Streets. These properties should be disposed of and the proceeds used to fund the new facility. The disposal of these and other surplus properties would have the added advantage of broadening our tax base.



OFFICE OF THE MAYOR (Continued)

5. The Mayor should assume a leadership role in implementing the proposed disaster plans. The schools, where most of the casualties would probably occur, have no budget for disaster supplies. Other plans which include communication systems and trained personnel are also not operational.

Again we realize the tenuous relationship that exists between the School Department and the Mayor's Office, but the relationship between preparedness and unpreparedness; and between deliberation and action necessitates the Mayor's intervention.

Although our primary concern is our children, the planning and implementation of programs that encompass the safety of all of our citizens needs to come under the direct scrutiny of the Mayor.

The Grand Jury commends the Mayor for the leadership role he has assumed at the state and national levels. His activities to procure federal funds for the preservation of our cities is most commendable. His efforts in the areas of public safety, child care centers, rapid transit and the problems of the elderly are appreciated by all of us who dwell in urban areas. His stand on the impounding of federal funds has been upheld by the courts and these funds are now filtering into programs for which they were intended.

In conclusion, the Grand Jury would like to remind the populace that the important thing is not where we stand, but in what direction we move; and we feel that Joseph Alioto is moving our city in the proper direction.

CONTROLLER

The Controller is the auditor and chief accounting officer of the City and County of San Francisco. In this capacity he exercises general supervision over the accounts of all officers, commissions, boards and employees of the City and County who are charged with the receipt, collection or disbursement of City and County funds or other funds in their capacity as City and County officials or employees. The Controller has the power and the duty of prescribing the method of keeping and rendering accounts of the officers, boards and employees of the City as well as the financial reports rendered by them. The Controller's office is responsible for keeping accounts showing the financial transactions of all departments and offices of the City and County.

There are two major sections that make up the Controller's office, namely, the Accounting Section and the Electronic Data Processing Department. The Electronic Data Processing Department is the

government's budget deficit is caused by higher interest rates.<sup>27</sup> This would suggest that the budget deficit would be reduced if monetary policy were to expand the money supply, thereby lowering interest rates. Since a budget deficit is the result of a current account deficit, it follows that a budget deficit is the result of a current account deficit.

It is also argued that the budget deficit is caused by inflation. Inflation is often cited as a cause of the budget deficit because it causes the real value of the debt to decline. This is true, but it does not mean that inflation causes the budget deficit. Inflation is the result of a budget deficit.

It is also argued that the budget deficit is caused by a lack of economic growth. This is true, but it does not mean that a lack of economic growth causes the budget deficit. A lack of economic growth is the result of a budget deficit.

It is also argued that the budget deficit is caused by a lack of fiscal discipline. This is true, but it does not mean that a lack of fiscal discipline causes the budget deficit. A lack of fiscal discipline is the result of a budget deficit.

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## Conclusion

The argument that the budget deficit is caused by a lack of economic growth is based on the assumption that the budget deficit is the result of a lack of economic growth. This is true, but it does not mean that a lack of economic growth causes the budget deficit. A lack of economic growth is the result of a budget deficit.

The argument that the budget deficit is caused by a lack of fiscal discipline is based on the assumption that the budget deficit is the result of a lack of fiscal discipline. This is true, but it does not mean that a lack of fiscal discipline causes the budget deficit. A lack of fiscal discipline is the result of a budget deficit.

CONTROLLER (Continued)

subject of a separate report.

The accounting practices of the City and County of San Francisco are basically consistent with generally accepted principles of governmental accounting as recommended by the National Committee on Governmental Accounting.

Pursuant to provisions of the Charter the Controller is required to audit the accounts of all boards, officers and employees of the City and County charged in any manner with the custody, collection or disbursement of funds. He is also required to audit monthly all accounts of money received by the Treasurer as well as each departmental revolving fund authorized by the Charter or the Board of Supervisors. In addition to the audits conducted by the Controller's office, each year outside auditing firms perform audits of selected departments and offices at the direction of the Controller. An annual audit of the Controller's accounts is also made by an outside auditing firm at the direction of the Board of Supervisors.

The members of this Committee believe that the internal audits conducted by the Controller's office and the outside audits conducted by private auditing firms provide adequate safeguards to insure proper application of the funds of the City and County. We believe the Controller, Mr. Nathan B. Cooper, has met the basic requirements set forth in the City Charter.

We do recommend, however, that a close relationship be maintained between the directors of the Mayor's Model Cities Program and the Controller's office in order to avoid the serious monetary problems which have occurred in the past.

The members of the Committee commend Mr. Cooper and the members of his staff for the fine manner in which they perform their duties.

ELECTRONIC DATA PROCESSING

The City and County of San Francisco is a major user of electronic data processing. The electronic data processing services provided to the City cover a broad spectrum of applications and many levels of sophistication.

More than forty City departments or agencies receive electronic data processing services directly. Most others receive benefits through such systems as payroll and budget preparation. Services provided through the Civil Service Commission and other departments affect all City employees. A majority of the citizens of the City and County receive services indirectly through such agencies as the



## ELECTRONIC DATA PROCESSING (Continued)

Assessor's Office and the Police Department.

The approach toward management and staffing of the Electronic Data Processing Department (EDP), which is a section of the Controller's Office, is good, however, turnover of employees has seriously hampered the effectiveness of the services of the City Hall Center. While management objectives for electronic data processing at the higher levels have not been established, specific responsibilities have been assigned at the management and supervisory level throughout the electronic data processing organizations.

Turnover of employees has been very high in the City Hall complex. Over 140 separations have occurred during the past five years. More than 60 of these occurred in the areas of systems analysis and programming. This has resulted in serious project delays. With this in mind a greater priority should be given Civil Service examinations for programmers when the need is critically urgent.

Facilities for programmers and analysts in the City Hall complex are cramped and poorly laid out. They do not provide a good working environment. A survey should be made to determine whether a more efficient layout can be devised to provide better working conditions for programmers and analysts in order to increase their productivity.

The City's data processing operations are basically sound and well managed. The department's resources, however, could be utilized by the City in a more effective manner. A number of advanced municipal information systems are now in existence. A review of these systems, their major applications and their developmental problems, would add invaluable perspective to EDP. These efforts should begin at the departmental level where comprehensive systems requirements and plans are developed.

It has been recommended in a recent study that EDP consider the feasibility of relocating the computer equipment and input/output control and preparation from the City Hall complex to 240 Van Ness Avenue. The facilities at 240 Van Ness Avenue offer a great deal more room for expansion and could provide for better centralization of the present scattered facilities. This recommendation should be carefully studied as it would offer an opportunity to improve working conditions and could result in higher productivity and lower turnover of personnel.

The City Hall Computer Center maintains the operating standards for City-wide data processing. These standards are also used by the Public Utilities Commission Center with necessary changes as dictated by operational differences between the two organizations. Standards are judged as comparable to industry standards and are generally followed. Operational relationships within departments and



## ELECTRONIC DATA PROCESSING (Continued)

between the two centers provide strong liaison and understanding between units. Weekly meetings are held at various levels to review topics of operating interest. Specific operational reviews occur prior to the implementation of new procedures or systems.

This Committee believes that EDP should have a better relationship with those City departments which utilize its services. Schedules should be developed to determine which City departments have a greater priority in the use of electronic data processing. The allocation of computer time pursuant to such schedules would enhance the services provided by EDP and would alleviate the burden placed on those departments which should have priority because of the functions they perform.

The Grand Jury commends Mr. Henry F. Nanjo, the Director of Systems and Data Processing, and the members of his staff for the fine job they are performing for the taxpayers of San Francisco.

## ART COMMISSION

The Art Commission established in 1932, is composed of dedicated citizens serving without compensation. The Executive Director of the Commission is Martin Snipper.

Ethnic and urban changes have increased the many duties and functions of the Art Commission. In the past year, thousands of people have attended approximately 200 events, such as drama, dance, music and art exhibits, fairs, festivals, poetry readings, film and holiday celebrations for children and the elderly, which were sponsored by the Neighborhood Arts Program. The Neighborhood Arts Program loans equipment, makes supplemental payments to performers and provides organizational assistance. The type of activities sponsored range from workshop programs to book fairs and programs cater to almost every ethnic group located in the City.

Numerous projects are being established for the American Indian Arts Project located in the Mission District. This is a result of complaints that there were few programs involving American Indian arts. This is being corrected due to the large influx of young American Indians into the center and the leadership of the American Indian community.

Without the time and imaginative effort devoted by the energetic and talented organizers for the Art Commission many of the neighborhood programs would not have been as successful as they have been.



ART COMMISSION (Continued)

From time to time the Art Commission also conducts events and activities of a specific and non-continuing nature, such as its co-sponsorship of musical events in cooperation with the San Francisco Conservatory of Music.

By ordinance the Art Commission supervises and controls the expenditure of up to two percent of the cost of construction of public building projects, which is required to be set aside for art enrichment. The Grand Jury believes that this is appropriate.

We commend the members of the Art Commission, Mr. Snipper and the members of his staff for the outstanding service they are rendering for the people of San Francisco.

Mrs. Eleanor L. West

Mrs. Laura G. Williams

John J. Rago, Chairman



SHERIFF

The Grand Jury released an Interim Report on County Jail No. 2 located at San Bruno on April 13, 1973. Implicit in this report were several key recommendations:

- 1) There should be no fewer than twelve deputies on any one shift.
- 2) There should be a prevailing balance of experienced and inexperienced personnel on all shifts.
- 3) Deputies should be rotated on a basis that is agreeable to the organizations that represent the deputies and the administrative staff.
- 4) An administrative position should be established to supervise all duties having to do with acquisition, preparation and serving of food.
- 5) That written regulations be formulated that are generally familiar to the entire staff.
- 6) That the Undersheriff assume the duties of Departmental Training Officer
- 7) That a clearly defined chain of command be developed and adhered to.
- 8) That deputy sheriffs be trained at a Sheriff's Academy rather than a Police Academy.
- 9) That a uniform of the day be established for all on-duty personnel.
- 10) The deputies should be provided with an adequate salary and a yearly uniform allowance.

Due to budgetary constraints, the staffing of twelve deputies per shift (which does not include officers) has not been implemented. The San Bruno facility will continue to be chaotic until such time as the ratio of deputies to inmates is increased. The ratio as it presently exists makes it impossible for the deputies to maintain the proper inmate-deputy relationship.

The citizens of San Bruno have a right to expect that the institution within their county be as secure as possible. Until such time as more deputies are assigned to the San Bruno facility this is not the case.



SHERIFF (continued)

The prevailing balance of experienced and inexperienced deputies recommended in the report has also been completely ignored. County Jail No. 1 reports that out of 38 deputies 15 are temporary and only five of the 38 can be considered experienced. With this staffing pattern security is nebulous.

The rotation process recommended by the report has not been implemented.

The administrative chef recommended in the Interim Report has undergone a title change and is now called a Food Service Manager. More important, the job remains unfilled.

The written regulations which inform the inmates of the perimeters within which they must operate are distributed sporadically. Our committee chairman reports they were distributed the day of the visit of Mr. Raymond Procnier, the Director of the Department of Corrections, much to the surprise of the inmates.

The recommendation which suggested that the Undersheriff assume the duties of departmental training officer has also been ignored. County Jail No. 1 reports that deputies are pressed into duty without training.

The chain of command seems to be established and has improved the relationship between officers and deputies. Further progress in this area will serve to make the jail operate more efficiently.

The number of deputies attending P.O.S.T. is encouraging, however, the percentage attending the academy is microscopic. The uniform of the day seems to be an established practice. The deputies have still not received a uniform allowance and the base salary is inadequate.

The Grand Jury concurs with Makato Yano, an inspector from the Department of Public Health, in his findings of unsanitary conditions at the County Jail at San Bruno. This can be directly traced to the lack of a proper relationship between deputy and inmate. The inmates feel they have a direct line to the Sheriff and as a result carry out their sanitation details in a slovenly manner. The deputies and the Sheriff show a lack of pride and discipline when unsanitary conditions are allowed to exist. With over 500 inmates incarcerated at the San Bruno facility, there is certainly no shortage of manpower. The suggestion that special equipment is necessary to maintain sanitary conditions at San Bruno is ludicrous.

The unfortunate suicide of Paul I. Solis prompted the Grand Jury to launch an investigation into the circumstances surrounding this incident. The medical facilities, the lack of proper procedure



SHERIFF (continued)

and the lack or articulation between deputies and medical staff are in need of overhaul if incidents such as this one are to be eliminated.

The dispensary continues to be inadequate and one needs to make his way through a number of garbage cans to gain entrance to this facility. Captain Davis informs us that drugs are continually missing from the dispensary due to poor security and lack of an effective monitoring and accounting system.

The Grand Jury believes, as does Mr. Procunier, that the first obligation of a custodial facility is security; and that rehabilitation programs are developed after the primary responsibility is achieved. We feel security at San Bruno is inadequate and the recent disturbances are a direct result of this failing.

An example of the lack of cohesiveness among the Sheriff and his staff concerning security is the action instituted by the deputies, not the Sheriff, to revoke the probation of inmates participating in latest disturbance at San Bruno. These cases are still pending at the time of this report.

In order to control the ebb and flow of visitors, volunteers and employees, a system of color-coded identification cards should be established. Part and parcel of this procedure is the maintenance of a very careful time register. The increasing number of paid and volunteer staff having access to the jail make security very difficult for the custodial personnel.

The Grand Jury believes that a more stringent screening process needs to be established in the Volunteer Program. Information leads us to believe that some of the personnel counseling with inmates are themselves poor risks.

The payroll and accounting system employed in the Sheriff's Department has to be in the most chaotic condition imaginable. Payroll checks are late, some employees have been paid twice (and cashed the checks) others complain that amounts are incorrect due to improperly submitted timesheets. It is even possible under this unusual accounting system for one deputy to take time to participate in a water-ski event in Florida; and another deputy to take a few months to play professional football. All that is necessary is that the skiers or the football players provide a substitute. Allowances for pensions and fringe benefits are not considered as barriers if one wants to take advantage of these unusual leaves of absence.

The most improved program in progress at the County Jail in San Bruno is the Education Program operated jointly by the Community College and the Sheriff's Department. Mr. James Dierke of Community College and Mr. Richard Zevitz from the Sheriff's Department have



SHERIFF (continued)

collaborated to form a vastly improved, workable, viable education program. The Grand Jury applauds the efforts of these two gentlemen and their staffs; not only for the improved program but for the spirit and cooperation they have shown in bringing about these improvements. The Grand Jury recommends that the Sheriff make every effort to find more classroom space in order to expand these fine programs. A new position of Educational Program Coordinator should also be budgeted in order that proper coordination can be maintained.

In the ensuing months, this Committee will endeavor to continue its surveillance of our county jail system in order to improve conditions for inmates, deputies and taxpayers.

It is the opinion of the Grand Jury that there is a basic philosophical disagreement concerning rehabilitation and security among the Sheriff and his staff. If there is ever to be a harmonious working relationship in the Sheriff's Department, this philosophical difference must be resolved.

What is the primary responsibility of our penal system? Is it security or rehabilitation? The Grand Jury concurs with the announced protestations of the Director of the Department of Corrections of the State of California, that the staff not the inmates should run the prisons.

Lawrence M. Berrios

Peter Cresci

John Rago

Joseph Muscat

Samuel Martinez, Chairman



## EMERGENCY SERVICES

The Emergency Services of San Francisco is responsible for the development of an emergency preparedness program to:

- 1) Save lives and protect property.
- 2) Assist in the preservation of civil government.
- 3) Provide for the equitable use and distribution of resources.
- 4) Assist in the recovery and rehabilitation of San Franciscans after a major emergency.

The Emergency Preparedness Program for the City and County continued to be totally approved by the state and federal governments for fiscal year 1972-73. Approval by state and federal emergency preparedness agencies is a requirement to maintain eligibility for receiving federal subventions and for the acquisition of federal surplus property. Equipment and supplies donated under the Surplus Property Program enable City departments to obtain property to support the Emergency Preparedness Program for a minimum service and handling charge. During the last fiscal year, surplus federal equipment and supplies originally purchased by the federal government for \$132,666.16 were acquired by eligible City departments for \$20,772.09 for use on a day-to-day basis, as well as for emergencies. The Matching Fund Program of the federal government allows 50% reimbursement for staffing and administrative costs of the Emergency Services of San Francisco.

During the last fiscal year Emergency Services participated in a number of projects. By way of example these included, providing emergency planning assistance to the Juvenile Court and Youth Guidance Center and furnishing emergency supplies in support of the plan; participation in assisting in the development of an emergency plan for BART; assisting the San Francisco International Airport in upgrading the Airport Emergency Program; and assisting the San Francisco Unified School District in developing an upgraded emergency plan.

During January and February of 1973, Emergency Services was engaged in activities relating to the relief of the victims of the devastating earthquake which destroyed much of Managua, Nicaragua. At the direction of the Mayor, 387,000 pounds of high protein crackers were released from the City's emergency supplies and sent to Nicaragua.

The City's present Emergency Operating Center has been evaluated as ineffective and inadequate. A new underground Emergency



EMERGENCY SERVICES (Continued)

Operating Center to house Police, Fire and emergency communications is needed. Such a facility could be used on a day-to-basis as well as in case of an emergency. In the event of a major emergency where close coordination is required a multi-purpose facility would be invaluable.

The members of the Grand Jury compliment Mr. Edward P. Joyce Director of Emergency Services, and the members of his staff for their continuing efforts to provide San Francisco with an effective emergency preparedness program.

RECOMMENDATION:

Funds should be appropriated to construct an adequate multi-purpose underground Emergency Operating Center to house Police, Fire and emergency communications.

Peter Cresci

Samuel Martinez

Albert Pollack, Chairman



## THE FINE ARTS MUSEUMS OF SAN FRANCISCO

Since the official merging of the M. H. de Young Memorial Museum and the California Palace of the Legion of Honor as the Fine Arts Museums of San Francisco, significant progress has been made. Extensive remodeling in both buildings has created new permanent galleries in both and new offices at the Legion of Honor, which were built almost exclusively with private funding. The addition of the new galleries made it possible to implement a Master Plan for the redistribution of all the art works, placing them in proper chronological sequence at the de Young, thus allowing the Legion of Honor to become the only museum in the United States devoted exclusively to French art.

With accreditation by the Association of American Museums the Fine Arts Museums have gained prestige, honors and enjoyed long term loan benefits. They have been able to offer exhibitions and programs of higher quality, for example, the successful Andrew Wyeth show.

The overall effect of the merger, the new additions and the work of the Director of Museums, Mr. Ian M. White, has been to increase the activities, resources, quality and prestige of the museums.

The works of art are constantly in danger, due to lack of security and lack of building maintenance. These conditions represent gross negligence by the City and County of San Francisco. It is the duty of the City and County to properly maintain our priceless heritage. Both museums need more security personnel and security systems. The de Young Museum specifically needs extensive repairs and maintenance which cannot be provided by private funding. The skylight and ventilation system should be reconstructed.

The shocking state of disrepair of the roof has already allowed water to damage an irreplaceable, priceless Rubens masterpiece.

How can the City and County continue to shirk its obligation in maintaining this fabulous cultural asset?

The Legion of Honor is handicapped by the lack of adequate public transportation, which has been discussed by previous Grand Jury reports.



THE FINE ARTS MUSEUMS OF SAN FRANCISCO (continued)

Recommendations:

This Grand Jury recommends, as the last two Grand Juries have recommended:

- 1) Approval of the Museums' budget requests for maintenance, repairs and security personnel by the Board of Supervisors.
- 2) Improved public transportation to the now isolated California Palace of the Legion of Honor by the Municipal Railway

ASIAN ART MUSEUM OF SAN FRANCISCO

The Brundage Collection, although housed in the de Young Museum, is administered separately by the Asian Art Museum of San Francisco, with Mr. Rene-Yvon Lefebvre d'Argence as Director. The City and County of San Francisco entered into a contract with Mr. and Mrs. Avery Brundage, whereby "an independent committee shall have its own staff and budget and shall have power to control and manage the City's collection of Asian Art, which will be furnished with a staff and budget adequate to perform its functions".

Emil P. Appelman

Sylvan C. Frank

Mrs. Eleanor L. West, Chairman



## TREASURER

The Treasurer, Mr. Thomas Scanlon, is an elected officer of the City and County of San Francisco. The Treasurer is responsible for directing all functions of his office in accordance with existing laws.

The function of the Office of the Treasurer is to receive all monies belonging to the City and County as well as warrants issued by the Controller and to pay any other legal expenditures, to maintain records of such financial transactions, and to provide for the safekeeping of all monies and securities in the custody of the Treasurer.

The Treasurer is also responsible for depositing City and County monies in banks in order to earn the maximum amount of interest income on those monies which he believes will not be required for the payment of current bills. Other responsibilities include the administration of the sale of City and County bonds, and the administration of the State Inheritance Tax Laws.

The total interest earned by the Treasurer's Office for fiscal year 1972-'73 was \$15,502,233.97. This is the highest amount of interest earned in the history of the City and County of San Francisco and represents an increase of \$2,309,606.06 over fiscal year 1971-'72. The following is a breakdown of this interest:

Certificates of Deposit.....	\$13,926,233.00
Short term investments.....	1,232,871.41
Accrued interest on investments...	343,119.47
Total...	<u>\$15,502,233.97</u>

Upon the request of this Committee the Treasurer furnished the Grand Jury with a detailed explanation of the increased interest earnings and the innovations which, having been instituted, are responsible for this achievement.

A number of important factors are involved:

- a) Increased interest rates.
- b) Immediate employment of funds.
- c) Offering the funds for bid.
- d) The use of more instruments for various purposes.

During the past year, a system of immediate deposits has been instituted to assure proper credit for investments. The office now has a bank messenger at its disposal to pick up as often as needed



TREASURER (continued)

for delivery to the City's account, any sizeable deposit that will benefit the investment program. During the tax season, the messenger picked up as often as three times a day, and upon delivery to him of the checks, the Treasurer's Office would invest 70% of the total amount immediately, even though these were "in transit" items. In this regard, Mr. Scanlon has personally traveled to Sacramento to pick up replacement warrants for those misdirected or undelivered in order to invest these funds. Since these welfare advances could amount to 7 million dollars and can be invested overnight at 3%-10% interest to produce in excess of \$1,500 earnings per day, Mr. Scanlon would drive to Sacramento to pick up the replacements, and deposit them at one of the associate banks in Sacramento, and immediately invest these funds for interest earnings.

In the past, Government Code, Section 58346, was read as requiring the Treasurer to wait and bill for interest on matured certificates of deposit at the end of each calendar quarter. This Section has been re-read to allow the Treasurer to bill at maturity and to require him to bill quarterly. This interpretation has transferred interest earnings in excess of one million dollars per quarter for reinvestment prior to the end of the quarter. Interest is now being earned on interest.

The most productive policy change has been the implementation of a "bid system". In order to have funds available for unanticipated needs, between 10 million and 20 million dollars is kept in a checking account. At approximately 8:15 a.m., the obligation for that day is known by means of a telephone message from the San Francisco Clearing House. Any bank in San Francisco that wants funds for one day can call and bid on the balance after 8:15 a.m. Five bids are normally received. Competition is very stiff. The high bid is usually a percentage point higher than that earned by 30 day certificates of deposit. This formerly untapped source of revenue produced in excess of \$1,230,000.00 for fiscal year 1972-'73. When authority was first requested from the Board of Supervisors to make short term investments, the projected potential maximum earnings was estimated to be \$300,000.00 per year. Actual earnings have exceeded that figure by nearly one million dollars in the fiscal year just ended.

High interest Treasury Bills and other federal agency instruments, are now also being used for liquidity and yield. These vehicles are highly negotiable and therefore fill a vital need. Formerly, if the Treasurer was faced with large unanticipated obligations he was forced to cancel certificates of deposit with complete loss of interest. Now he is able to hold these Treasury bills, which comprise 10% of the investments either to maturity for maximum yield, or until emergency need, at which time they are sold at appreciable gain.



TREASURER (continued)

Other factors contributing to last year's success were:

- 1) The acquisition of an Investment Specialist, Mr. Gerald P. Richardson.
- 2) Interest rates became favorable for certificates of deposit.
- 3) Federal agency instruments were an ideal instrument for municipalities for investment as well as liquidity.

Although the Treasurer anticipates the short-term market to peak out soon, he hopes the continued success in full employment of City funds (99.8%) will enable his office to increase the benefits to the taxpayers of San Francisco during the coming year. In preparation for this, the Treasurer's Office has scheduled its certificates of deposit for the coming year at rates from 5% to 8-3/8% which should keep interest earnings at a very high level.

The 1972 Grand Jury recommended the use of camera equipment to prevent forgery losses. The stated loss experience of \$7,457.89 for the fiscal year ending June 30, 1972, was the result of not having four cameras at a total cost of \$2,400.00 per year. Related losses to merchants in the City amounted to thousands of dollars, and police investigations and prosecutions by the District Attorney cost additional thousands of dollars. Where these cameras are being used in private industry experience has shown the near elimination of forgery claims. We are pleased that this recommendation has been acted upon and the equipment is now in operation.

Recommendation:

The Treasurer's Office is unable to capitalize on potential increased interest earnings of as much as \$10,000.00 per month due to a lack of available transportation.

Every month the Treasurer's Office receives as many as eleven subvention warrants from the State of California through the mail, some as large as seven million dollars.

If the Treasurer's Office was to return these warrants to Sacramento on the same day the funds could be invested overnight. A seven million dollar warrant invested at 10% (today's rate) yields \$5,833.32 for the period from Friday night through the weekend.

Since the mail arrives after the bank messenger is dispatched to Sacramento, it is incumbent upon the Treasurer to make a special delivery of these items. The delivery of only one such check as shown by the example of the seven million dollar warrant would pay



TREASURER (continued)

the cost of the two automobiles which the Treasurer's Office regularly requests. The loss in potential interest earnings amounts to a minimum of \$50,000.00 annually.

The Grand Jury highly recommends that the Treasurer's Office be allowed to acquire two automobiles for this purpose. The City can hardly afford to pass up this increase in revenue at such a minimal initial investment.

Both the Treasurer, Mr. Scanlon, and the Chief Assistant Treasurer, Mr. Gin L. So, have been most cooperative with the members of this Committee. We commend them and the members of the staff of the Treasurer's Office for their fine efforts and appreciable achievements in the service of the City and County of San Francisco.

Albert Pollack

Mrs. Eleanor L. West

Joseph C. Muscat, Chairman



## PORT COMMISSION

For more than 110 years the Port of San Francisco has been the nerve center that has made San Francisco the major financial city of the entire western United States.

Because of its central geographical proximity to the important industrial and agricultural centers of the West, the Port of San Francisco serves as the major western terminus for the transcontinental railroads, truck and airlines and all are linked to the waterfront piers.

The Port of San Francisco has been responsible for a great part of the economic growth of San Francisco. It now provides about 23,000 waterfront jobs and at least 50,000 other jobs exist because of the Port. In this regard, the majority of jobs on the waterfront are in the blue collar category. The importance of employment in this category must be greatly emphasized as this gives our minorities job opportunities.

The Port of San Francisco has had the blessings of a natural harbor with deep water navigation. One only has to look at the map to see the magnitude of its operation. It also has, aside from its water facilities, frontage and back-up land suitable for flexible facilities. This in itself should give the Port a distinct advantage over its competing neighbors.

In today's modern world of technology, the old concept of ships and shipping methods has been completely changed. In order to accomodate the new concept, the word "multiport" has come into being. The complexities of the new ships, their enormous size and turn-around time have given the Port of San Francisco great challenges and it is meeting each one head-on.

One must also realize that future plans, which are only a few years away and are on the drawing boards at present, are for over 2,000 containers and 30,000 ton payloads. These ships should be ready for operation in a few years.

At this point, it is appropriate to enumerate the following types of ships and their methods of shipping:

- 1) LASH (Lighter aboard ship) vessels
- 2) STAGE 3 Container ships (2,000 plus vans)
- 3) RORD (Roll-on/roll-off) Freighters



PORt COMMISSION (Continued)

- 4) Side Ramp, side port and unit load ships
- 5) LOLO (Lift-on/Lift-off) vessels
- 6) Bulk and convertible bulk carriers
- 7) COCO (Carry-on/carry-off) ships
- 8) Tanker and deep tank vessels
- 9) Heavy lift special cargo ships
- 10) Transocean cargo vessels.

As you can visualize, complex facilities are needed to handle such a variety of ships. Most of the area allocated to these modern vessels is around the new 400 acre, deep water Islais Creek, India Basin area. This expansive combination of terminal, rail and freeway networks makes "multiport" the greatest concentration of special land-sea cargo facilities on the Pacific Coast.

The Port of San Francisco is big business. The Port controls approximately 12 miles of waterways. The varieties of services offered are multiple. Aside from handling ships and cargo, the Port is involved in the leasing and renting of docks for other uses, office space at the Ferry Building and space at Fishermen's Wharf, and, of course, operation of the Belt Railroad.

The Belt Railroad has been a big money loser to the Port for many years. Through the good efforts of the staff of the Port, a reputable person, Mr. Willis B. Kyle of Fresno, has indicated that he will assume the Belt Railroad and perform all the duties that will be necessary for the day-to-day functioning of the Port. Mr. Kyle is an able person with other interests in a similar field. He owns three small railroads.....in California, Oregon and Hawaii. This transfer of the railroad to Mr. Kyle should show a savings to the Port of nearly \$300,000 yearly. The employees of the Belt Railroad will be absorbed by other departments of the Port. No one will be penalized due to the sale of this property.

The Port of San Francisco has to pay its own way for any expansion or improvements, therefore, strict accounting practices must be used in any expenditure. There are other ports on the Pacific Coast which compete directly with San Francisco, such as Seattle, that are on the tax rolls. With these ports any deficits are not as serious as they would be in San Francisco.

This is the fourth year that the City and County of San Francisco has had control of the Port. In the past, it was controlled by the State of California. The Director of the Port is Miss Miriam E. Wolff. Miss Wolff was the attorney for the Port



## POR T COMMISSION (Continued)

under the State and was appointed its director in 1969. Her able staff consists of Mr. E. L. David, Deputy Director, and Mr. I. M. Sullivan, Executive Assistant. Finance is headed by Mr. J. D. Yeomans and rentals by Mr. Harry Thieman.

Much criticism has been directed at the Port for not having adequate sales promotion. Last year's Grand Jury Report was critical of the Port for neglecting the public relations aspect. Recently, a staff of very reliable and competent men was hired to represent the Port with shippers from all parts of the world.

The current operations of the Port are expanding. Freight has increased by 20% for 1973 over 1972. These figures are incomplete, but are within bounds as there were over two and one half million tons as of the end of August and over 40,000 tons monthly since then.

Because the Port is big business and plays such a large role in the economy of San Francisco, the Mayor's Office appointed a select group to look into the Port of San Francisco. In our opinion, a very thorough study was made. There were many recommendations which the Port Director is doing everything possible to implement. It would be repetitious to re-state the findings of the Mayor's Committee in this report but there are a few areas that are worth going over again.

A portion of the report of the Mayor's Committee reads as follows:

"Agressive development of the Port requires, in addition to stepped up promotional and marketing capability, that the service it provides and the costs for them be competitive with other ports. In this connection, the following four present Port functions should be assumed by the city in its established departments:

- a. Harbor police
- b. Fireboat operation
- c. Street maintenance
- d. Garbage collection and street cleaning

These activities represent a present cost of burden to the Port of approximately \$1,100,000 per year which other ports do not bear."

We concur with these findings as we feel that the duty of the Port Director is to run the Port. The specialists in other City departments should perform the duties that are their speciality.



PORt COMMISSION (Continued)

The finances of the Port are in very good shape. The twelve month statement from July 1, 1972, to June 30, 1973, shows a profit of \$451,528 against \$302,181 for the previous fiscal year. One must also understand that this profit was larger even with a depreciation factor of over \$300,000 from 1972.

This was partially offset by an increase in operating expenses of only \$850,268 of which \$284,610 was an increase in depreciation. The balance sheet shows total assets of \$175,011,889.88 liabilities and deferred credits of \$89,314,335.50 and net resources of \$85,697,554.38.

We congratulate the Port Director, Miss Wolff, for her initiative in taking action on the recommendations of the Mayor Committee. We also commend her and her staff for their efforts toward the goal of making the Port of San Francisco the leading port of the West.

The normal conclusion of all Grand Jury reports is recommendations. Again, we wish to state that after the thorough study the Mayor's Committee made that we cannot add to it at this time, however, we close this report with the following suggestion.

Appropriations are made to the Port Commission on a fiscal basis. When emergencies come up that are unforeseen, the Port must appear before the Board of Supervisors for additional funds, in accordance with the City Charter. In the past, the Port has had to wait long periods of time before receiving these emergency funds and we feel that a better method should be improvised for obtaining the permission of the Board of Supervisors for such allocations.

WAR MEMORIAL

The War Memorial complex originates in a private trust created by an agreement dated August 19, 1921, between the Regents of the University of California and ten citizens who had obtained and were obtaining subscriptions of money to erect a memorial. In 1930 the Regents and the private trustees offered the assets of the trust to the City and County, in trust, under the terms of the Trust Agreement. In November, 1930, the Board of Supervisors accepted the offer by Resolution No. 33<sup>b</sup>07 and therby agreed to perform all the duties devolved on the Regents and the private trustees by the Trust Agreement. The resolution specified that the property should be entrusted to the War Memorial Trustees who were authorized to administer and execute the Trust set forth in the Trust Agreement.

Sections 3.610 and 3.611 of the Recodified City Charter



## WAR MEMORIAL (Continued)

deal with the Board of Trustees, the Managing Director and other employees of the War Memorial. The Trust Agreement of 1921 contemplated three buildings, the present Opera House and two other buildings, the San Francisco Museum of Art and an American Legion Building, which have been combined into one edifice. The letter-head of the War Memorial of San Francisco traditionally refers to these three functions, Opera House, Veteran's Building and Art Museum.

For the past three years no progress has been made in the rehabilitation or refurbishing of the War Memorial complex. In budget requests for fiscal 1970-71, 1971-72, and 1972-73 all capital funds have been deleted. Yet the City administration has pushed for construction of not only a Performing Arts Facility near the War Memorial (with parking facilities for 1,000 automobiles no less) but also acquisition of a series of white elephants euphemistically known as the Shriners Building on Geary, crumbling Fort Mason piers and the Straight Theater on Haight Street for the purpose, as Mayor Alioto has said, that "all this would give San Francisco an artistic life like no other city."

One cannot dispute that statement. If we over-extend ourselves by acquiring old relics that no one else wants while at the same time ignoring the upkeep of the marvelous facilities we now own we certainly will have achieved "an artistic life like no other city."

The Grand Jury is tremendously impressed by the dedication of Joseph J. Allen, Managing Director of the War Memorial and Donald J. Michalske, Executive Secretary and Assistant Managing Director. These men not only attend to their regular duties but also are present at all scheduled performances.

### RECOMMENDATIONS

The chronic underfunding of the present War Memorial buildings should cease. Funds for a new performing arts building or for additional buildings should only be made available when we can take care of the facilities we now have.

However desirable these additional buildings may be, we do not see any particular virtue in the practice of conspicuous consumption by the City Government. Let's first preserve what we have. Our existing buildings are well managed and deserve adequate funding before we embark on new ventures. This is not to say that the Grand Jury is against cultural advances but rather a caution that we must take care of what we have before we embark on the unknown.

The present War Memorial contains a 1,110 seat auditorium which is being vastly under-utilized and is being allowed to



WAR MEMORIAL (Continued)

deterioriate. The American Legion Posts, but not other veterans groups, are entitled by the terms of the trust to use the auditorium without charge for their own purposes when they do not charge admission. The San Francisco Museum of Art should have similar rights. The War Memorial Trustees should take control of this auditorium from the American Legion Commission which in the past has been allowed to control its rental and has kept the proceeds. The Trustees should then make arrangements for the use of this auditorium by the performing arts during all times not required for the bona fide use of the Legion and the Museum for their own purposes. Such use should benefit the public at large and make interim facilities available at modest cost prior to the completion of the new performing arts center.

Emil P. Appelman

Mrs. Jean P. Sullivan

Albert D. Levy, Chairman



## DEPARTMENT OF SOCIAL SERVICES

A Public Welfare Department was established in 1937 through amendment to the Charter of the City and County of San Francisco. The amendment to the Charter stated: "Said public welfare department shall exercise all the functions exercised by the county welfare department and by the Citizens' Emergency Relief Committee . . . and shall perform such other duties and have such other functions as may be authorized by the board of supervisors of the City and County of San Francisco or required by the government of the United States or the State of California or any department or agency thereof." In July 1965, the name of the Department was changed by ordinance of the Board of Supervisors from the Public Welfare Department to the Department of Social Services to conform to the 1962 changes in the Federal Social Security Act which stressed services as well as financial assistance to aliens.

The Charter also provides for a Social Services Commission as the policy forming and supervisory body of the department. The five members are appointed by the Mayor for four-year staggered terms and they serve without financial compensation of any kind.

The General Manager of the Department of Social Services is appointed by the Commission. He, in turn, is responsible for the staff and for the administration of the department. The function of the Department of Social Services, with the help of other community resources, is to provide financial, medical and social services to all eligible persons in San Francisco. Implicit in this function is the right of every person to apply for assistance and the responsibility of the department to explore the needs of every applicant to determine, and acquaint him with, the services he may require and for which he may be eligible.

The department administers a number of programs under four general headings; Public Assistance (cash grant), Medically Needy Only, Medical Indigent, and Food Stamp. Within the purview of the four programs fall many other programs. Public Assistance includes Old Age Security (OAS), Aid to the Blind (AB and APSB), Aid to the Disabled (ATD), Aid to Families with Dependent Children (AFDC), AFDC Boarding Homes and Institutions (BHI), General Assistance (GA) and Cuban Refugees and Repatriates. In this group, in 1971-72, 59,273 cases were handled involving 104,284 persons. In 1972-73 this number increased to 60,057 cases involving 101,475 persons. The case load increased by 984 but involved 2,809 less persons. In the Medically Needy Only Program, during 1971-72, 5,607 cases were handled involving 7,477 persons and the 1972-73 report shows 5,966 cases with 8,501 persons, or an increase of 359 more cases involving 1,024 more persons.



DEPARTMENT OF SOCIAL SERVICES (Continued)

In the Medically Indigent Program for 1971-72, 4,697 cases were handled involving 5,075 persons and the 1972-73 report shows 7,367 cases involving 7,896 persons, again reflecting an increase of 2,670 more cases involving 2,821 more persons. In the Food Stamp Program the 1971-72 report shows 11,137 cases involving 22,655 persons and the 1972-73 report shows 14,765 cases involving 27,978 persons, again reflecting an increase in this program of 3,630 more cases involving 5,323 more persons, for the grand total of 80,714 cases with 139,541 persons in 1971-72 and 88,263 cases with 145,850 persons in 1972-73, or an increase of all programs of 7,549 cases involving 6,299 more persons.

The Department of Social Services is staffed by the Director, Mr. Ronald Born, the Assistant Director Mr. Kenneth Bryan and a further authorized staff of 1255 persons with an added temporary staff of 181 making a total of 1,436. In July, 1972 the staff numbered 1,384 and on June 30, 1973 the figure was 1,436, an increase of 52. During the year, 233 persons (including only persons that had attended orientation and indoctrination classes) were employed to fill vacation vacancies for the staff. Included were 68 eligibility workers, 4 social workers, 59 in administrative services and 2 homemakers. In addition, these people received 80 to 160 hours of on the job training for their particular assignment. When the federal government takes over the SSI program, 185 persons may be released by January, but 253 will be needed for new programs in the following areas: OAS 15, AFDC 128, Food Stamp 64, and Medically Indigent 46. Management is divided under the Director into four divisions, namely: Management Services, which includes office space, equipment, supplies, and communications, Community Services, Volunteer Services, and Programs. It is with these services that the Committee will concern itself, rather than all of the various programs. We will, however, make such comments relative to the various programs that are pertinent to this report. Since most of the programs administered by the Department of Social Services stem from one form of legislation or another, they are now mandatory by law. It will suffice to show where the finances are derived and concentrate on the operational costs. The following is a brief resume of the programs and the use of the programs.

According to figures prepared by the Department of Social Services, which appear in the department's Annual Report for fiscal year 1972-73, total expenditures during fiscal year 1972-73 were \$141,949,271. This was \$5,620,937 over the 1971-72 expenditures, representing a 4.1% increase. Of the amount expended 48.44% were federal funds, 30.13% state funds; 20.82% City and County of San Francisco funds; and 0.17% private funds.

An average of 101,475 persons per month, including children in foster homes and child care, received \$124,085,672 directly or indirectly through the Public Assistance Programs (PAP) representing 87.42% of the total public assistance disbursements.



DEPARTMENT OF SOCIAL SERVICES (Continued)

The operating costs for the administration of the Public Assistance Programs were \$17,863,599 representing 12.58% of total expenditures. These costs were shared as follows: federal 55.35%, state 18.92% and San Francisco 25.63%.

The cost of all other welfare programs was \$2,111,619, representing less than one and one-half per cent of the total (1.49%).

In reviewing the fiscal reports for 1971-72 with the fiscal reports for 1972-73, it is apparent that we have experienced a remarkable increase in the operating costs for the administration of the Public Assistance Programs, as evidenced by the following comparison.

	<u>Public Assistance Program</u>	<u>All Other Programs</u>
1972-73	\$17,863,599	\$2,111,619
1971-72	<u>14,204,968</u>	<u>1,289,042</u>
Increase	\$ 3,658,631	\$ 822,577

Even taking into consideration the off-setting increase of all of the other programs, we arrive at a net increase of \$2,836,054.

Pertinent to these spiraling costs, the citizens of San Francisco are now presented with approved plans for the construction of a new nine story Social Services building costing in excess of 9 million dollars. This project circumvented the right to vote on a bond issue and was accomplished by the establishment of a non-profit corporation (The Uptown Parking Corporation). Resolution 619-72 was passed by the Finance Committee and approved by the Board of Supervisors and the Chief Administrative Officer on September 17, 1973. The construction contract will go to bid in the spring of 1974. It is expected that the construction time will be 30 months. The project involves the Department of Social Services moving from its two rented buildings at 965 and 1360 Mission and from its City-owned building at Bush and Stockton Streets, with this latter property being used to expand the Sutter-Stockton Garage as has been authorized by companion legislation. The new building at 170 Otis Street would substitute for the three vacated buildings and would be located immediately adjacent to the department's building at 150 Otis Street and across the street from the department's building at 1680 Mission Street. (Both of these buildings are City-owned). The prepaid rent on the Bush and Stockton property of 1 million dollars has been received by the City and preliminary plans have been completed for the new building, making possible more accurate cost estimates. The building has a \$760,000 annual rent cost to the City for a period of 25 years. It is evident the total cost to San Francisco will be greatly in excess of 9 million dollars. It is interesting to note that bond issues to finance a new welfare building have failed twice in the past 10 years.



DEPARTMENT OF SOCIAL SERVICES (Continued)

Programs and Services

This Committee has met with the Director, the Social Service Commission, and the various division heads. We have on many occasions made announced visits as well as unannounced visits to the facilities and have observed the operations as well as interviewed the workers. At all times, we received excellent cooperation and courtesy. This Committee found a mixture of efficient professionalism as well as lack of professionalism, sincere dedication and a lack of dedication, human kindness as well as lack of human kindness, courteous dealing with the clients as well as lack of courtesy, efficient handling of claims as well as inefficient handling of claims. This Committee does not mean to infer that there is a lack of policy or system. There is in fact a very good policy and an equally good system. It is with the implementation of this policy and system that this Committee takes note.

When a person initially applies for aid, he or she first comes in contact with an employee whose function it is to ascertain the needs and supply the necessary forms to be filled out. During the interviews we observed this function was handled with consideration and understanding on the part of the employee who fully realized that the applicant was there for a need that was very real to that person. This does a great deal to allay the apprehension of the applicant and helps to offset the dismal appearance of the surroundings, which leave much to be desired. The applicant fills out the papers and returns them to the same employee who directs the applicant to go into the waiting room and await his call. The papers are then assigned to a screener who interviews the applicant and routes the applicant to a case worker for pressing needs at the same location. If it appears that the case can be handled the next day, the case is transferred to 150 Otis Street and assigned to a case worker there. The applicant is given an appointment and his name will be placed on the sign up sheets on the door of each case worker or on the board supplied for that purpose. The applicant again waits his turn. Once he is interviewed, the case goes into process and further interviews are scheduled. The case worker then must visit the premises and ascertain the truth of the need. The case workers have the two main functions of being in their office for interviews and to make the visits that must be made. By a rotation system, they spend either mornings or afternoons in the office for interviews and make their visits during the other portion of the day, when they are not in the office. When the case workers were supposed to be in their office for interviews as of 8 a.m., they could be found in the coffee shop until a much later time, meanwhile, the applicants were waiting to be called. This Committee did determine that there were assignments to the offices for certain cases workers by date and there were a few present at the specified time and they did conduct their business as it should have been conducted.

This Committee interviewed applicants who stated that:



DEPARTMENT OF SOCIAL SERVICES (Continued)

"you just had to wait." We also sat in with the applicant, with his or her permission, to observe the method of handling the cases, from the applicant's standpoint, and further discussed cases with other workers to gain their viewpoint. This Committee has at times been impressed with the professionalism and dedication of the case workers and their ability to handle their case load. We are not impressed with the maintenance of the surroundings that the same applicants must wait in. It would appear that a cleanup service is in dire need, as well as a coat of paint to make these facilities more suitable for the applicants and the workers.

We also visited the Index Center which has countless index cards in files dating back to 1914. Unless there is some reason because of litigation, we can see no reason that the index cards and the records that they represent should be kept beyond a period of five years. Many of the files are for persons deceased and if the files are for juveniles, the five year limit in most cases would be sufficient due to the fact that the age of majority for most purposes is now 18 years of age. This clearance of dead files should take place before the department moves into its new quarters. It would also remove a large number of records from the Records Center which are only taking badly needed space.

Food Stamp Program

The Food Stamp Program enables low income families and individuals, including public assistance recipients, to increase the food purchasing power of their dollar. By voluntarily participating in the program, eligible families were able to buy approximately 30% more food each month through the bonus system which is the heart of the program. In addition to the financial advantage, there is the social advantage -- improved health from better meals. Since its inception in San Francisco on September 1, 1966, the program has grown to be the largest, in terms of persons served, administered by the department. As of June, 1972, the total number of participants was 87,197, with bonus benefits totalling \$13,484,777. At the end of fiscal year 1972-73 the total number of participants was 91,921 with bonus benefits of \$18,096,543, representing a 34.2% increase. During August 1973, participation in the program in San Francisco was approaching 100,000 persons, with \$1,600,000 of bonus stamps being issued per month. Intake was quite heavy because of college student enrollment. Processing time spanned 3 days from date of request for interview to actual interview application, however, the department was well within the 30-day processing time limit. Renewal investigation and recertifications were running 3 to 4 months behind and staff did not seem to be able to gain on that. By October the situation had improved considerably. There were 96,728 participants in the program. This was 1,300 less than the prior month because staff had been able to do renewals and cancel cases for non-participation or ineligibility. Intake continued to be heavy with 2,800 applications taken in September, and 2,400



DEPARTMENT OF SOCIAL SERVICES (Continued)

of those were certified as eligible to receive food stamps. There were ten food stamp sales outlets located throughout the City to serve the participants. Approval was given to the opening of a third outlet by the San Francisco Welfare Rights Organization to serve the western area of San Francisco at a facility on 32nd Avenue and Taraval Street, and to the transfer by Wells Fargo Bank of its food stamp operation at 24th Avenue & Irving Street to San Francisco Welfare Rights Organization to be operated at their 32nd Avenue and Taraval Street facility.

Legislative Amendments

At least three recent Legislative changes will affect the budget needs of the Social Services Department for 1974-75: 1) The State supplementation of the January 1, 1974 Federal program under HR 1 of Supplemental Security Income (SSI); 2) The California Supreme Court ruling on the responsibility of the spouse and adult child to contribute to the support of the aged parent under the Old Age Security Law; and 3) The State's plan to require the Counties to collect a proposed new monthly enrollment fee for non-assistance Medi-Cal beneficiaries (pending issuance of regulations by the State.)

It is premature at this time to evaluate the mechanics of shifting the SSI Program to Federal auspices by January 1, 1974 as mandated by Congress. SSI recipients would continue to be eligible for Food Stamps except where the total amount of assistance received starting in January (SSI plus state supplementation) is at least \$10 more than the December grant of assistance. Since this will be an individual determination of food stamp eligibility rather than the automatic eligibility which has existed for the adult categories of public assistance, special food stamp staff will be necessary to handle food stamp applications for this group. The Grand Jury believes Mr. Born has justification in requesting that the requirement for submission of the department's budget for fiscal year 1974-75 be delayed until February 1, 1974. By that date, all of the information will be available concerning the various legislative factors and can be analyzed to determine true staff needs. The Grand Jury does not at this point recognize or understand the need for an additional 253 positions as requested in the Preliminary Budget Estimates. However, since this Grand Jury is extended to July 1974, we will have the opportunity to devote additional energy and attention to this matter. We look forward to working with the department toward a mutual resolution of the budget needs.

It is our opinion that Mr. Born is an extremely dedicated man devoted to the philosophy of the Social Services Commission. We wish to commend him, the members of the Commission, and staff for their efforts in serving the City and County of San Francisco.

Four recommendations were made by the 1972 Grand Jury. Two of these were negated by events of this year (i.e., new construc-



DEPARTMENT OF SOCIAL SERVICES (Continued)

tion and Legislative changes requiring additional staff). One will be reiterated by this Grand Jury, i.e., the lack of facility maintenance.

THE 1973 GRAND JURY THEREFORE RECOMMENDS:

1. That additional staff priorities be placed on the following areas:
  - a) Special investigation of suspected fraud cases.
  - b) Child support (i.e., the obtaining of contributions from absent fathers toward support of their children receiving AFDC)
  - c) Quality Control, involving efforts to determine that families receiving AFDC are, in fact, eligible - compatible to Federal plans to withhold funds where the "error rate" is not reduced below that existing in the period April through September, 1973..
2. That archaic records be destroyed prior to relocation and that a five year record retention policy be established.
3. Increase program reviews to determine cases to be closed, each Social Worker to be responsible for their case load and report.
4. Launch an immediate cleaning of the facilities. The buildings at 150 Otis Street and 585 Bush Street are deplorably dirty. It will be approximately three years until new construction is completed. Definite action is required for the upkeep of the buildings presently occupied.

Lawrence M. Berrios

Irving S. Levin

Mrs. Waunda Thomas, Chairman



## BOARD OF SUPERVISORS

The Board of Supervisors of the City and County of San Francisco is an unique governing body since it has jurisdiction in legislative matters over a combined city and county government. As such they have many responsibilities and duties. This body is rather large, being composed of eleven members, in comparison to the legislative bodies of other cities or counties within the State.

While the members of the Board of Supervisors are to be commended for the time they do spend performing their duties, there has been considerable criticism of their lack of attention to members of the public who address them during committee and full board meetings. This criticism has been manifested at these meetings as well as in letters to the editors of various newspapers. While we can sympathize with the members of the Board for having to listen to redundant testimony, this attitude tends to alienate the public.

It has been noted that department heads are asked to be present at committee meetings when matters concerning their departments are on the agenda, however, they are not given a specific time to appear and are often not even called on. It is a waste of manpower to keep these department heads away from their jobs for long periods of time while they wait for their matters to be called. This time could be used more economically and efficiently if the department heads were perfoming their duties instead of waiting around unnecessarily. A call system should be inaugurated to bring these important people to the committee meetings only when they are immediately needed.

The Grand Jury believes that one area of great neglect on the part of the Board is the failure to appropriate sufficient funds for the upkeep, maintenance and protection of existing facilites and structures owned or operated by the City and County, such as the Municipal Railway, M. H. de Young Museum, War Memorial, etc.

A recent proposal was made to tear down the existing Embarcadero Freeway without thoughtful, proper alternatives for traffic flow. Surely this is not a priority item at this time.

At the insistence of some of the members of the Board of Supervisors the Grand Jury launched an investigation into the February 25, 1973, riot at County Jail No. 2 in San Bruno. After the Jury held hearings and took seven volumes of testimony and after countless visits to the County Jail a report was submitted to the Board. A hearing was scheduled on our report by the Joint Finance and Fire, Safety and Police Committee of the Board. The members of the Grand Jury were dismayed, to say the least, when at the conclusion



BOARD OF SUPERVISORS (Continued)

of the hearing the majority of the members of the Joint Committee failed to recommend any significant action on the report to the full Board.

We believe that it is the immediate responsibility of the Board of Supervisors to plug the hole in the residency rule. A more specific definition of "grave medical information" should be provided in cases where City employees seek authorization to live outside the City for medical reasons. The residency rule should be enforced, particularly in the case of key City officials and employees, such as firemen and policemen, who must be readily available in the event of an emergency or disaster.

The Board of Supervisors has recognized the transit needs of the citizens of the City by approving the necessary measures to upgrade the Municipal Railway and the Grand Jury commends its action in this regard. The time has now come for the Board of Supervisors to be responsive to another need of its electorate -- that of power and energy. Fifty years have passed since O'Shaughnessy Dam began the generation of power for the City's great Hetch Hetchy system. Yet the people of San Francisco have yet to enjoy the direct benefits of this power as contemplated by The Raker Act of 1913 and confirmed by the landmark decision of the United States Supreme Court in 1940. This Grand Jury has published a report giving its recommendations pertaining to the final realization for the people of San Francisco of the benefits intended by Act of Congress some 60 years ago. We would expect that the Board of Supervisors will give full and fair consideration to these recommendations, in hearings open to the public, and direct the Public Utilities Commission to take immediate steps for the implementation of these proposals. While the Grand Jury is of the opinion that the dictates of the Raker Act and the U. S. Supreme Court are of themselves sufficient reason to take its recommended action the Grand Jury strongly advises that, should the Board of Supervisors not agree with its proposals, that the Board immediately cause an independent feasibility study to be prepared concerning the soundness of our recommendations.

The members of the Grand Jury have great respect for the abilities of the members of the Board of Supervisors and their capacity to respond to the needs of the City and County of San Francisco. We do not want to leave the impression that we found nothing praiseworthy in our investigation into the operations of the Board. The accomplishments of the Board generally and of its individual members are too numerous to attempt to recount here. It is with these thoughts in mind that we offer the foregoing constructive criticism.

Emil P. Appelman  
Sylvan C. Frank  
Mrs. Eleanor L. West, Chairman



BOARD OF PERMIT APPEALS

The Board of Permit Appeals is an administrative tribunal composed of five members appointed by the Mayor to serve four year terms. It is the function of the Board of Permit Appeals to hear appeals from decisions by City and County Departments which are authorized to issue or revoke licenses and permits. An applicant for a permit or license who is denied such permit or license, or whose license or permit is ordered revoked, or any person who deems that his interests or property or that the general public interest will be adversely affected as a result of operations authorized by or under any permit or license granted or issued by any City and County Department, may appeal to the Board of Permit Appeals. The Board is required to hear the applicant, the permit holder, or other interested parties, as well as the head or representative of the department issuing or refusing to issue the license or permit, or ordering the revocation of the license or permit. After the hearing and such further investigation as the Board deems necessary, it may concur in the action of the department, or, by the vote of four members, may overrule the action of the department, and order that the permit or license be granted, restored or refused.

Variances are to be granted on the basis of exceptional, extraordinary circumstances, but seem to be given on the basis of the Board's personal preferences. The City Planning Department Zoning Administrator and the Department of Public Works seek to maintain standards and upgrade dwellings, but are thwarted by the Board of Permit Appeals at every turn.

What we see at the hearings is obvious bias on the part of some Board members. The lack of control and constant banter leads to disruptions, animosity and rudeness on all sides. The Board has been likened to a circus and "the best show in town". Unfortunately, tickets are not being sold and the general impression left with spectators is incredulity. "Is this any way to run a hearing?" NO!!

The Grand Jury recommends strict adherence to proper procedure so that all sides will feel that they have been treated equitably. To this end, the Grand Jury also recommends that findings of fact be prepared by the Board in each case setting forth the facts upon which their decisions are based.

Emil P. Appelman

Mrs. Jean P. Sullivan

Albert D. Levy, Chairman



SAN FRANCISCO PUBLIC LIBRARY

The San Francisco Pulbic Library is composed of the Main Library, the Business Branch, 26 neighborhood branches, the book-mobile and deposit collection.

The Library has been reaching out for more people in more ways than ever before in its history. Through a federal grant senior citizens in the South of Market and Tenderloin Districts have been provided with library programs, access to more books, and films which were brought to older persons in senior citizen centers, housing projects and residential hotels. These programs included film showings, lectures, concerts, dramatic readings, poetry readings, record-listening concerts, book reviews and a variety of other events.

In addition, several thousands of children attended pre-school story hours and children's librarians visited over a thousand classes to reach many thousands of school children.

Another very important example of the efforts of our library is the Bay Area Reference Center. (BARC) Over 1 1/4 million dollars has been spent by the federal government to operate this service. BARC has won national awards for its publication, Synergy. The workshop program helps sharpen the skills of librarians, and increase their public service effectiveness.

Because of the foregoing and other programs the San Francisco Public Library is busier than ever in its history. The enthusiastic response to the different forms of media, namely - film, paperback books and lectures - has caught the fancy of the adult. Other examples of the services provided by the Library are the Mediabmobile (The Whole World) and library service to the jails.

The Library is under constant pressure for funds. Budgetary restraints have made innovation difficult. Requests for additional funds have been denied. Despite the lack of funds the Library has been able to provide a wider variety of services though the public is using the library more and more, standards in San Francisco fall far short of national library standards for a city of this size.

The San Francisco Public Libray has adopted and published a set of goals. Priorities will be changed to meet the time, but more important it will give flexibility in budgeting procedures.

Programs to be installed in the future are as follows: audio-visual, cable television and video cassettes. Resource centers will provide the backbone for regional and national networks of



SAN FRANCISCO PUBLIC LIBRARY (Continued)

information.

In conclusion, it is interesting to note that even with a declining population in San Francisco, more and more people are using the Public Library.

Emil P. Appelman

Mrs. Jean P. Sullivan

Albert D. Levy, Chairman



## POLICE DEPARTMENT

### PREFACE

In these times when there are so many upsets and discussions in normal everyday life, it is very easy to lay the blame on some other doorstep. This is magnified when the Police Department comes under discussion. Since, by nature, the Police Department responds to summons from the citizen or resident, the policeman is always on the scene after the fact. In cases where he is on the scene and the circumstances are "on view", he is ostracised for the action he may be forced to take. The Police Department is further ostracised for enforcing the laws that are on the books whether or not the same laws may conflict with the desires or beliefs of ad hoc or pressure groups, or underground committees for urban guerilla warfare, or segments of the minority community. The fact still remains that the laws are on the books. The general public is responsible for the conditions that exist today inasmuch as they do not support their Police Department in the manner that they should, nor the policeman in the performance of his duties. The policeman takes an oath first to support the Constitution of the United States and then to enforce the laws of the State of California, and when he attempts to do this, he is not only criticised but condemned as well, only because it does not fit the concepts of the individual's rights that he is encountering, or the views, whether they be honest views or otherwise, of the witnesses. In our society today, we are quick to demand our rights and even fight for our rights, even if our rights deny the same rights to others. The policeman unfortunately is in between and must protect the rights of all. In the past, the link between the Community and the Police Department was established by the beat patrolman. He was the person who was looked upon as the information center and guardian of the people. People would turn to him to find out where the dentist, repairman, and many other services were located, and was conferred with on almost any phase of living or emergency. Today with the lack of foot patrolmen and the lack of safety for a single officer due to the apathy of the public, this link is gone and in its place, we have the Community Affairs Bureau, which was conceived to supply this need, and can only be exposed to a small group at any given time. It should be remembered that the squeaking wheel gets the grease. It should also be remembered that the squeaking wheel is the first to be replaced. This committee does not seek to editorialize, but to preface this



POLICE DEPARTMENT (Continued)

report of a very complex department with an understanding of the problems that are current.

ORGANIZATION

The San Francisco Police Department is organized under the following terms:

The Mayor appoints the three members of the Police Commission. The Chief of Police is appointed by the Police Commission and the Deputy Chief of Police is designated by the Chief of Police. The present members of the Police Commission are Dr. Washington E. Garner and Marvin A. Cardoza. The third position is vacant due to the recent resignation of Richard K. Miller. The Commission is responsible for policy, disbursements of funds, and acts as the hearing body or agent for departmental discipline. The Commission is aided in these functions by the able Commission Secretary, Sgt. Willie E. Frazier, and his staff.

The administrative head of the Police Department is the Chief of Police, Donald M. Scott, assisted by the Deputy Chief of Police, William J. Keays. Their functions are to supervise and oversee the complete operation of the many bureaus of the Police Department.

This committee understands the necessity of the exposure of the Chief to the various communities within the City and County of San Francisco, but seriously wonders how much time is left to devote to the internal operation and supervision of the Department. This is the same point that has concerned previous Grand Juries. We feel that this situation gives the Police Department, through the exposure of its Chief, an opportunity to better the public image of the Department and its police officers, since the contact between the beat patrolman and the neighborhood is now missing. This in spite of the fact that the general public sees police officers only after they have been summoned, and views the necessary means of apprehension, which leaves the image of callous indifference and brutal police suppression. The public fails to realize and accept that the function of the police officer is to suppress crime and if in the course of making an arrest, he meets with resistance, and must use force, he is not to be criticised by the very people that he is trying to protect. We wonder why the Community Relations Bureau does not address itself to this problem since it was conceived



POLICE DEPARTMENT (Continued)

for the purpose of educating the community to the problems of the Police Department and to better communications between the community and the Department.

The Office of the Chief of Police is a very trying and difficult responsibility. Due to politics, minority groups, labor groups, and pressure groups inside and outside of the Department that favor promotion on political associations rather than merit and ability, the quality of leadership is always open to question. This committee strongly favors promotion on the basis of merit only. This committee feels that the police officer is not a second or third class citizen and enjoys the same rights and privileges that any other citizen enjoys. We do not mean to infer that their rights are being suppressed within the Department. The Chief of Police has brought the Department to a high level of standards and efficiency, not however, without cost in the area of police image. It should be apparent to all that the general public does not offer full support to the Police Department. This fact makes the Chief's job and the job of his administrative aides that much more difficult.

To assist in these problems, the services of the Deputy Chief are consumed with the problems and operations of the Bureaus, and units which number 13, each with an officer in charge. The respective Bureaus and units are: Administrative Section: Legal office, Internal Affairs, Intelligence Unit, Community Relations Unit, Personnel and Training Bureau and the Administration Bureau. Operational Section: Inspector's Bureau, Traffic Bureau, Patrol Bureau, Special Services Bureau, Criminal Information Bureau, Narcotics Bureau and Juvenile Bureau.

In the area of communications, the use of multiple channels and radios in the patrol cars along with the PIC radio gives good coverage and an excellent combination for rapid communication with headquarters. The PIC radios for the beat patrolman have brought him closer to happenings as they occur. With the use of PIN (Police Identification Network) and VIN (Vehicle Identification Network) checks are made with the minimum expenditure of time and many of the sore spots in police work are eliminated. When the new communication quarters are finally completed, there will be greater improvement. The new memory banks in the form of tape recorders are exceptionally well suited for the purpose of storing calls, however, they lack the feature of instant replay that the models that they replaced had, even though they have more tracks. The main problem in dispatch is with the dispatch help since it is very difficult to get experienced dispatchers. It has been noted that radio equipment in the radio cars frequently breaks down. In every instance where this committee rode in the cars, radio trouble seemed to be the main problem. On occasion, the PIC was the only radio operable in the car. This committee believes that a survey should be made to ascertain the reasons for and/or causes of this problem.



## POLICE DEPARTMENT (Continued)

The Administrative Section has many Bureaus and sub-organizations under its direct control. The Legal Unit is responsible for the legality of departmental procedures and defenses. The Internal Affairs Bureau is responsible for the conduct of all employees within the Department, and for citizen complaints against police officers and for discipline. The Intelligence Bureau is responsible for information concerning all parties that seek to circumvent the law. The Community Relations Bureau is charged with maintaining good relations between the Police Department and the community, and for other services as needed. The Administration Bureau is responsible for correspondence, general office procedures, permits and registrations, the property clerk, and planning and research. The Personnel and Training Bureau has responsibility for training personnel, maintaining personnel records, investigation of personnel, the Police Academy, the Police Range, the police arsenal, underwater rescue and recovery, Police Surgeon, and Personnel Sergeant.

### Property Clerks Office

This committee could not fault the methods and controls of this office which is responsible not only for lost and found items that are turned into the Police Department but also, for evidence and the belongings of the prisoners as well. It functions as efficiently as any other organization of like nature which deals with so many facets of police work.

### City Prison

This committee studied the operation of the City Prison and the position it occupies in the arrest procedure. Once a suspect has been transferred from a district station to the City Prison, all processing of the suspect takes place at the City Prison. This includes fingerprinting, photographing, strip search, etc., which are done under the auspices of the Police Department using Police Department personnel. After the suspect is arraigned in court, and if his case is heard, and he is sentenced, or continued, he is then placed in the custody of the Sheriff's Department. This committee must concur with the view that the City Prison, located on the sixth floor of the Hall of Justice, should be placed under the supervision of the Sheriff's Department, thus combining the City Prison and the County Jail on the seventh floor into one operation. This would provide more space for the inmates, thereby relieving the crowded situation in the County Jail. The sworn personnel now engaged in duties at the City Prison would be released for other police duties. The function of processing the inmates should still remain under the auspices of the Police Department. This is not only the view of this committee but since this Grand Jury has had much exposure to the problem, it is the view of the entire Grand Jury as well.



POLICE DEPARTMENT (Continued)

Traffic Bureau

In the operational force, the Traffic Bureau is responsible for the direction of traffic, school patrol, research and analysis, traffic information, traffic enforcement and investigation, solo motorcycles, accident investigations, hit and run detail, congestion and parking control, fixed point control, 3 wheel motorcycles, and towaway detail. The Traffic Bureau has a delicate position inasmuch as the traffic policeman or controlman is usually the first representative of the Police Department that the citizen, resident, or tourist comes in contact with, whether it be foot or vehicular traffic. The Traffic Policeman operates with the greatest degree of efficiency and courtesy and in appearance is a credit to the Department. This is not the case with the parking controlmen and fixed post controlmen. This committee takes note that the traffic controlmen on fixed posts are lacking in knowledge of the requirements of traffic control. Their appearance and the manner in which they control traffic leaves a poor image and a lot to the imagination. This committee feels that the indoctrination, teaching, and the appearance of these controlmen, compared to other cities of comparable size, where this type of traffic control operation is in existence, leaves much to be desired. It has been suggested in another report that the entire Parking Meter Program be placed under the direction of the Director of Traffic since most of the revenue reverts back to the Department Fund. Additional controlmen in the downtown area in the form of fixed point controlmen are vitally necessary. This committee has been made aware of the difficulty in getting traffic cars to non-injury accidents due to priorities. The Traffic Bureau is to be commended for the school patrols, crossing guards, and the approach to the problems which besiege the city along with ever present tow problems. Director Cummins is to be commended for the manner in which he faces the problems head-on. We realize that with the construction of BART and the attendant detours, the problems of the Director have been multiplied.

Park Controls

This committee favors the continuance and even the expansion of the park patrols, both motorized and mounted. In these times, with the exposure of the public to violence and the fear that people have to even walk the streets of their own neighborhoods, the use of the parks and their beautiful facilities are denied to the public because of this fear and the exposure of their families to the occurrences that have become common in the daytime as well as the night. The park patrols become more of an important function and should be augmented to whatever capacity may be deemed necessary.

Patrol Bureau

The Patrol Bureau is the largest force in the Department. It consists of ten companies listed by alphabet with the corresponding



## POLICE DEPARTMENT (Continued)

number of the Police District, i.e., Company A, Police District 1, Central Station. In addition there is the Crime Prevention Company. Each Police District or Company is commanded by a Captain of Police aided by three lieutenants and several sergeants. The sworn personnel cover the details within the district such as manning the radio cars, wagon, beats, and other associated duties. Only the very heavy beats are covered by foot patrolmen. The district cars operate within the confines of the district each having a section, but are available to aid other units. In addition to the district cars, there are traffic cars and solo motorcycles assigned to beat areas that overlap these sections. Crime Prevention cars are also in the district as well as undercover cars from the districts. The Crime Prevention cars roam the City concentrating their efforts in areas with high crime rates. With the re-opening of Park and Potrero Stations, the lines of travel have been shortened for cars traveling in answer to calls.

### Patrol Special Police

There is another unit of the Police Department that is an asset to the City without cost. The Patrol Special Police are authorized by the City Charter and are assigned to regular beats which they patrol from 6P.M. to 6A.M. by themselves or with the aid of assistants, who are also Patrol Special Police Officers. According to Section 1.11 of the Rules and Procedures, Patrol Special Officers and their assistants are members of the San Francisco Police Department. According to Section 3.403 they are governed by Departmental orders and rules. According to Section 7.23 they are equipped only with prescribed equipment and uniforms. They must attend and obtain POST certificates, attend the range, and in all respects be qualified as police and enforcement officers. There are 45 such assigned beats with over 100 assistants. This amounts to over 100 extra policeman on the street of the neighborhoods at night with no extra cost to the taxpayers. Approximately 95% of their time is consumed in police related duties. Their personal contact with the public goes far to help with the police image. The Patrol Special Officers buy their own equipment and uniforms and operate as a combined foot and motorized patrol. They have permission to install radios in their cars which they must purchase themselves. The radios cost approximatley \$1200. According to General Order #151 of November 8, 1972, paragraph 6, the cost of maintaining and repairing such units must be bourne by the Patrol Special Officer. Many Patrol Special Officers have been injured or permanently incapacitated in the performance of their duties. For example, Patrol Special Officer Don Patooh was shot in a holdup while in the performance of his duty of protecting the citizens of San Francisco and is paralyzed as a result. This committee feels that some consideration in the form of uniform and equipment allowance along with the radio repairs should be afforded them.



POLICE DEPARTMENT (Continued)

Crime Prevention Company

All the members of this committee have ridden with this unit. This detail at one time was called the S Squad, but was changed in name only to the Crime Prevention Company. This is a body of efficient and dedicated men and the citizens of San Francisco should be appreciative of the functions that they perform. They concentrate in high crime areas and are not confined to any given area unless specifically detailed to do so. They augment the district cars and pursue known maldoers from district to district to keep them under surveillance. They also are constantly on the look out for incidents that are questionable. This committee rode in four of their unmarked vehicles and can only say that we were impressed with the diligence and dedication of this highly trained and skilled group of officers. The Dog Units operate out of the headquarters of the Crime Prevention Company and the advantages of the dog units are already well known in the area of search. They afford extra patrol and protection to citizens and the officers alike. All the members of this Company are highly trained in other areas of police work such as bomb investigation and riot control.

Bureau of Inspectors

This Grand Jury has on many occasions heard testimony developed by this Bureau and can attest to the work and ability of this highly technical service of the Department. We have heard many cases that were consummated after many months, and in some cases over a year, due to the perserverance of the personnel in the Bureau of Inspectors. The Bureau of Inspectors has many details including Fraud, Pawnshop, Homicide, Burglary, Auto, Missing Persons, Robbery, and General Works. Some of these details are coordinated under one office, for example, Pawnshop, Burglary and Missing Persons are in the same office and they also investigate the sale of guns. Each detail of the Bureau of Inspectors is a specialized unit which requires constant updating studies on the part of the officers to continue to be efficient. This is evidenced by the caseload which though increased daily never becomes burdensome. With the use of case file cards, the case file never becomes lost or inactive since the file card is a constant reminder of the open files. The Police Committee of the 1972 Grand Jury recommended that the rank of Inspector be changed to Detective, which is more suitable and more descriptive of the duties of the Bureau of Inspection. This committee, although not disagreeing with that portion of the 1972 Report can see no particular reason at this time to make a Charter amendment. The personnel attached to this bureau are entirely satisfied with their classification and to open a Pandora's Box during the many crises we are experiencing would be unwise in our opinion. This Jury commends the Bureau of Inspectors and its members for their service, which in some instances is far beyond the call of duty.



## POLICE DEPARTMENT (Continued)

### The Crime Lab

We found the personnel of the Crime Lab to be extremely competent but the Lab is lacking in professional manpower and space. This results in time delays for the findings in each case. It must be remembered that if the evidence cannot be processed, the case cannot be presented. It is unbelievable to think that important records in this major department could be stored in boxes and crates they way we would store belongings in the attic. Unfortunately, the architectural design of Hall of Justice has not given this most important department adequate facilities. This committee recommends more space be given to this very important phase of police work. It is further recommended that the salary structure be reassessed to provide a scale that is commensurate with the duties and thus eliminating the chances of losing these trained employees to other communities that are willing to pay higher salaries. We must commend Shoji Horikoshi, Acting Criminologist, for the excellent services he has rendered in this highly technical and important function of crime prevention and justice.

### The Narcotics Bureau

The Narcotics Bureau is responsible for the investigation and apprehension of drug violators and the control of drug traffic, along with educational programs for the public. This committee cannot fault the Narcotics Bureau. We can, however, fault the amount of money allotted to the Bureau for the work it must carry out. It is noted the personnel of this Bureau are of the highest degree and calibre. In these times with the drug problem and attendant crimes, Winston Churchill said it all very clearly when he said: "So much is owed by so many to so few". The supervision of this Bureau is excellent and reflects the understanding and control of qualified officers. It is a tribute to these young officers that are assigned to this Bureau that they conduct themselves with great dedication, efficiency, and perseverance.

### Juvenile Bureau

At this time it is in order to commend the Juvenile Bureau of the San Francisco Police Department. It has worked very diligently and very cooperatively with the Juvenile Court, the Youth Guidance Center and the Juvenile Justice Commission.

Captain Augustus Bruneman, who heads this division of the Police Department, meets on a monthly basis, and whenever else necessary, with Chief Probation Officer Joseph Botka, Judge Francis Mayer and Juvenile Justice Commission Chairman Charles R. Greenstone, Sr. This close liaison has done much to coordinate all of the various branches of the police, as well as custodial and administrative departments relative to juveniles, and their continued efforts are



POLICE DEPARTMENT (Continued)

resulting in a better understanding in the community of juveniles.

The Juvenile Bureau of the Police Department has a complement of 55 people under Captain Bruneman's command, as follows:

- 1 - Captain
- 3 - Lieutenants
- 2 - Policewomen (acting administratively full-time)
- 5 - PAL officers
- 6 - Full-time police Youth Program Officers
- 38 - Investigators (2 are women)

The members of this bureau of the Police Department, our investigation reveals, are a dedicated group of individuals. They are more intent on rehabilitating the juveniles and bringing them into the stream of society than incarcerating them and causing them to be recidivists.

The Juvenile Justice Commission, at various times, has requested members of the Juvenile Bureau to meet with them for discussions, and suggested solutions for some of the problems that are constantly arising.

The Juvenile Bureau does not patrol the schools. However, there is a special school car with two Officers designated from the police station in the area in which the school is located. The Juvenile Bureau does, however, have Officers drop in at schools and establish communication with the administration in each school, and whenever there is a rumor of a problem, they are the first ones to go to the school.

Police Associated Programs

This committee is pleased to note that all the available work hours in the Police Department are not confined to crime suppression but also to crime prevention and understanding. This is evidenced by the associated programs such as PAL, Fishing, and many other programs of like nature where the exposure of youths to the Police Department works in good stead toward the development of good and trustworthy citizens. In many instances these performances are accomplished by overtime work and off time work in which the policeman himself receives no compensation other than the satisfaction of being helpful and the happy stature of these youngsters that he has been working with in order to make them useful and responsible citizens. The cadet program has proven highly successful both in recruitment for the department and affords work assistance for those engaged in comparable college studies.

Finance

This committee has not stressed or discussed in this report



POLICE DEPARTMENT (Continued)

the matter of finances. We as laymen, feel like all other citizens in San Francisco, that the Mayor and Board of Supervisors will allocate all funds necessary to cover the various divisions, bureaus, programs and equipment needed to maintain the high standard and efficiency necessary to protect the citizens of San Francisco.

RECOMMENDATIONS

This committee feels that any further recommendations we might make would be superfluous. After speaking many times with police personnel from the Commissioners, the Chief and other high ranking officers as well as the members under their command including patrolmen, station personnel, civilian employees, and cadets, there is no doubt that the operational functions of the Police Department are well managed and well controlled. This committee only hopes that politics takes a very small part in the daily functions of the entire police organization and that competent persons promoted because of merit can continue to carry out the functions of this well organized body. Only in this manner may every citizen feel that he is considered in the same light and with the same set of values as his neighbor. We feel that the Internal Affairs unit has done a magnificent job in separating from this very important emergency service, the malcontents and the unqualified. We would however, be remiss if we did not at this point mention the deplorable condition of some of the police vehicles. Maintenance could be arranged so that less than 10% of the motor pool would be inoperable at any given time.

At this writing, San Francisco is in a very delicate position due to the number of violent crimes and homicides perpetrated on the streets. We feel with full confidence that these problems will shortly be resolved.

Lawrence M. Berrios

Joseph C. Muscat

Sylvan C. Frank, Chairman



## DEPARTMENT OF PUBLIC WORKS

This Committee, after visiting and interviewing many of the individual bureau heads of this vast department, commends S. Myron Tatárian, the Director of Public Works, and his staff for their continuing excellent service to the citizenry.

Although faced with such problems as understaffing, budget restrictions in every bureau and wage crafts criticism, there has been progress with satisfactory results.

## BUREAU OF ENGINEERING

This bureau is in need of qualified personnel due to several organizational changes, the switching of the Bureau of Water Pollution Control to the Bureau of Engineering and retirements. . . The Bureau of Engineering has been busy with the continuation of the 1971-72 major projects with emphasis on the adoption of a Wastewater Master Plan and working with concerned citizen groups and governmental agencies on implementing procedures and requirements for processing "environmental impact reports" for all projects that may have an adverse environmental effect. Some of the projects are:

- A. Traffic, Trafficways and Transportation
  1. Geary Boulevard-underpass at Masonic Avenue-an estimated cost of \$4,063,000 with federal funding of \$1,590,734.
  2. The St. Francis Circle underpass, which was stopped by the Board of Supervisors due to divergent views between two neighborhood groups. The Bureau is reviewing alternative plans at the present time. The estimated cost of this project is \$3,000,000.
  3. Downtown Parking Meter Program-- Installation of meters with a shorter parking time which will yield approximately \$500,000 more revenue per year. This program is presently in progress.
  4. Montgomery Street scramble system at four Montgomery Street intersections.
  5. Candlestick Park Traffic improvements - the widening of Harney Way and an overpass over Harney Way to be completed by mid-1974.



DEPARTMENT OF PUBLIC WORKS -- BUREAU OF ENGINEERING (Continued)

6. Street Pavement Rating Program with 6 men assigned from the Street Improvement and Reconstruction Section, to serve on this program on a part time basis for a period of one and one half year, to inspect 800 miles of streets and prepare some 22,000 rating cards as to conditions of these streets.
- B. Environmental Waste Control
- C. Recreation and Park Engineering
- D. Street Beautification
- E. General Engineering Service
- F. Surveys and Mapping

With the diversion of gas taxes monies and budget cutbacks, many of the projects are going to suffer seriously, such as street repairs and mini-parks.

The fact that the department is spread out over four different locations also causes a problem of coordinations and efficiency.

BUREAU OF ARCHITECTURE

This bureau supervises the design and construction of new public buildings, and the modernization and alteration of existing public buildings, under plans duly approved by the various City State and Federal departments which are involved.

Once the need for a building project is established, the bureau assists the requesting City department in the preparation of basic programs and the acquisition of a building site. The program consists of general information relative to the activities and services to be performed in the building. The bureau then prepares sketches, specifications, and estimates of cost; and when funds are available, prepares or supervises the preparation of the schematic, preliminary and final drawings, specifications, and estimates. Upon approval of the final documents, bids are requested by advertisement.

After award and certification of the contract, bureau personnel inspect the construction as it develops, certify monthly progress payments, verify that it has been properly constructed in conformance with the plans and specifications, and initiate the final payment to the contractor. The work which was being processed in the Bureau as of July 1, 1973 was as follows:



DEPARTMENT OF PUBLIC WORKS -- BUREAU OF ARCHITECTURE (Continued)

1. Plans and Specifications Stage		
Estimate Cost		\$176,000,000
2. Work Under Construction		
54 Jobs		42,806,333
3. Work Completed		
60 Jobs		21,790,500
<hr/>		
FOR A TOTAL OF		\$240,596,833

The problems in this bureau are the same as in other bureaus such as understaffing in the field of draftsmen, architects, and qualified inspectors; lack of adequate space, and inadequate budget.

Another problem the bureau has been faced with is to find qualified Black architects. In some cases it was necessary to go to Los Angeles to find one, in order that the City could comply with Federal requirements when plans and specification are being drawn for schools and community projects.

BUREAU OF BUILDING INSPECTION

This Bureau is responsible for plan checking and inspection service until a building is complete.

In May 1973, the triennial review of the building code was completed with approximately 225 code changes enacted into law. These changes ranged from editorial corrections to completely over-hauled articles of the code. In addition, new code provisions were added relating to life safety systems in high-rise buildings, aluminum for structural use, etc.

The changes enacted paralleled many of those in the Uniform Building Code and maintain the San Francisco Code in close relationship thereto.

The triennial review of the 1970 Electrical Code was commenced. Requests for code change recommendations were sent to all parties on the mailing list. The Electrical Industry Trust established a code advisory committee to assist the bureau in code review process. Code changes include those needed to correct ambiguity or errors and those changes based upon the latest National Electrical Code that are consistent with the level of safety desired by San Francisco.

The work involved in producing code changes by the different



## DEPARTMENT OF PUBLIC WORKS -- BUILDING INSPECTION (Continued)

crafts has been carried by the Superintendent for the last 10 years and unless staff is added to the bureau, future code changes will be jeopardized.

A much needed unit in the Bureau of Inspection is a Mechanical Inspection Department, which would inspect air conditioning, ventilation and chimney flue installations for fire and safety; and most important this bureau is self supporting from revenue collected for inspections.

The life safety system in high-rise buildings is not the only type of program this bureau is concerned with. It is also concerned with the FACE program where property owners, must bring their property up to code. This is done with government financing with a low rate of interest.

## BUREAU OF WATER POLLUTION CONTROL

The Bureau of Water Pollution Control maintains 900 miles of sewers, 2,500 catchbasins, and operates 17 pumping stations, one storm water overflow treatment plant, and three treatment plants. To perform these tasks the bureau is divided into three divisions: Sewer Repair, Waste Water, and Pumping and Treatment.

The Treatment division is understaffed in 3 sections, namely, clerical & technical personnel, Planning & Control Statistician, and Maintenance Engineer-Draftsman.

Due to newer policies and requirements of the Environmental Protection Agency and state regulatory agencies which have been recently adopted and to meet provisions set forth by federal and state agencies to adequately operate and maintain these treatment plants, additional manpower is necessary to qualify for federal and state grants.

## BUREAU OF STREET CLEANING AND PLANTING

The Bureau of Street Cleaning and Planting is responsible for cleaning 854 miles of improved streets and 55 miles of traffic islands as well as the maintenance of 166 acres of street landscaping of 17,300 street trees. Other functions include maintenance of 18 neighborhood off-street parking lots and 2 garages, regular cleaning of the tile surface of the Broadway and Stockton Street Tunnels, and the cleaning of 10 vehicular and pedestrian underpasses and 215 public stairways.

Requests for service and complaints totaled 2,780. With a few exceptions these calls were responded to within an hour by a crew



DEPARTMENT OF PUBLIC WORKS -- BUREAU OF STREET CLEANING, ETC. (Continued)

or supervisor dispatched by radio.

Street cleaning in San Francisco is divided into four major functions:

1. Blockman:

There are 112 blockman cleaning the downtown areas and older residential neighborhoods. Assignments vary from short routes of three-quarter of a mile to longer routes in the outlying shopping districts of 3 miles or more.

2. Mechanical Sweepers:

Mechanical cleaning is the most efficient and economical method of removing dirt from street surfaces, if the machines are not prevented from getting at the dirt by parked autos. The biggest problem with this system is that the equipment is old and should be replaced. Performance records for mechanical sweepers show the following for the year 1972-73:

Miles Swept-	41,298
Refuse Removed-	8,004 cubic yards
In service-	47% of time
Downtime-	54% of time

Of a total of 13 mechanical sweepers an average of 6.56 sweepers were in operation.

The city hopes to experiment with new equipment in restricted areas, with no parking on certain days so mechanical sweepers can go straight through from block to block.

3. Motor Flushers:

Motor flushing used properly will move litter and waste from a wide area of the street to the gutter where it is concentrated, trapped by the curb and dampened to prevent loose paper from blowing around until removed. It also serves to move unsanitary and visually objectional materials to a catchbasin or other sewer inlet.

The 10 Motor Flushers were in service 50% of the available time. They were out of service principally due to breakdowns, driver shortages, etc.

4. Sweeping Gangs:

Each gang is under supervision of a foreman and is composed of 4 to 6 sweepers, and a truck crew of 1 driver and 2 lumpers. The routes vary from 66 miles to 270 miles.



DEPARTMENT OF PUBLIC WORKS -- BUREAU OF STREET CLEANING, ETC. (Continued)

Our illustrious Mayor Joseph L. Alioto, proclaimed March 4-10, 1973 as Plant-A-Tree-Week in San Francisco and urged all San Franciscans to rededicate themselves and their energies to creating and enhancing a more beautiful urban environment in San Francisco. Many homeowners did plant trees, at their own expense, and will see that they are cared for. This committee, however, is concerned with landscaping of City properties and projects. With budgets of all departments being cut we hate to see this project suffer due to a lack of funds and equipment.

BUREAU OF BUILDING REPAIR

This bureau's primary function is to maintain and repair 329 public buildings as well as provide operational and or janitorial service for 112 of these buildings. In addition, maintenance and repairs are performed for other departments by means of a budget transfer or interdepartmental work order procedure. A significant portion of this work was performed for the following departments:

1. School department with over 140 buildings.
2. Recreation and Park Department with over 300 buildings and structures.
3. War Memorial, De Young Museum, Legion of Honor, Public Utilities, etc.
4. Bureau of Engineering
  - a) Street traffic painting and maintenance of street signs.
  - b) Maintenance and repair of street structures, sidewalks and traffic control devices.

The Operation Division consists of 193 budgeted positions which include janitors, window washers, stationary engineers and watchmen who are assigned to various buildings and institutions.

The Repair Division consists of 199 buildings trade mechanics representing 12 different crafts. Eighty-eight of these are permanent budgeted positions. The remaining 111 positions are classified as interdepartmental and are filled on an 'as needed' basis depending upon the work load and availability of funds.

The major problem the department of Public Works has is wages! Professional personnel, such as architects, engineers, draftsmen, earn less money than skill crafts, causing these people to leave their jobs to find better positions.



DEPARTMENT OF PUBLIC WORKS -- BUREAU OF BUILDING REPAIR (Continued)

Historically it has been the policy of the City and County of San Francisco to pay the City's employees directly connected with crafts that have a prevailing rate in the City and County and this rate includes some fringe benefits that a private employer doing similar work must pay. For example, the courts have ruled that health and welfare contributions paid in private industry are actually part of the pay package and that the City must recognize them as part of the pay rates.

Conversely, if the City's contribution to the Retirement Fund was found less than that provided in private industry the same logic would apply as to health and welfare contributions.

It is our opinion that the City would benefit by contracting all maintenance work including, but not limited to, alterations, etc. Proof of this will be found by looking at the street lighting maintenance contract which at one time was performed by P.G. & E. Competitive bidding for this work has proven to be an economy to the City.

It may be necessary to have a charter revision to accomplish this maintenance and alteration by contract.

It is not our intention nor do we criticize the incumbent employees performing maintenance and alterations for the City and County of San Francisco although we do believe that a change of policy for maintenance and alteration can be accomplished through attrition without displacing any incumbent employees. For example, if the new San Francisco General Hospital could advertise competitively for total maintenance it would operate more efficiently and economical. As the work force decreases due to retirements and people leaving Civil Service employment a readjustment of assignments would be made so that they continue their employment building by building. With attrition more buildings could be put out to competitive total maintenance bidding. In addition to an economic gain to the City, the pension problem of City employees, whose pensions are now based upon their highest year of income, would be resolved.

RECOMMENDATIONS:

1. Consolidation of the Department of Public Works in one building, by building a new administration building on the former Commerce High School Athletic Field as recommended by previous Grand Juries, and by various Committees of this Grand Jury. This would resolve problems for many departments.

2. Mechanical Inspection Bureau should be instituted for the safety of life and property.

3. There should be a change in the Bureau of Street Cleaning system. The system should be completely overhauled. Personnel should be shifted around and new motorized mechanical sweepers should be purchased. This would avoid downtime and costly repairs.



DEPARTMENT OF PUBLIC WORKS -- RECOMMENDATIONS (Continued)

4. The City should review the "Pay Rate" for professional employees, such as architects, engineers, and draftsmen, so that these City employees are paid a more comparable wage rate. This would halt the turn over of personnel and build up morale and incentive.

5. The City should institute, on a trial basis a Maintenance and Alteration Program, whereby maintenance and alteration work in a building now being done by City employees is contracted out by bids and by local contractors. If necessary a charter amendment should be introduced to accomplish this.

PURCHASING DEPARTMENT

The Purchasing Department has five bureaus: 1)Buying, 2)Equipment and Supplies, 3)Personnel and Accounts, 4)Reproduction, and 5)Shops. Under the administration and guidance of Joseph C. Gavin, the department purchases materials and supplies, equipment and contractual services for all departments of the City and County, including City-owned utilities, the San Francisco Port Commission, the San Francisco Airport, the San Francisco Unified School District and the San Francisco Community College District. It repairs and maintains automotive and other equipment for the various departments, except Public Utilities, and for the School District as requested. The Department operates a central Reproduction Bureau for departments requiring it's services; transfers to other departments equipment for use or sells equipment and supplies no longer useful to any department of the City; maintains a perpetual inventory of equipment in the various departments; and operates central stores of the Purchasing Department and various other departments.

One of the most important functions in the life of any business, is that of the Purchasing Department. The duties of this department are to buy quality supplies and materials at the least cost to the business, have these items delivered on time to the people who are to use them, and to take fullest advantage of all discounts offered by the suppliers.

The Purchasing Department, during the fiscal year 1972-73, expended \$27,634,550 through purchase orders, \$49,261,958 through encumbrance requests and approximately \$1,061,552 through contractual certifications for a total of \$77,958,060, and increase of \$11,315,565 over the previous year. The department also had revenue from sales of surplus materials of \$54,166.51 and \$16,946.00 from sales of the City Charter, codes and other documents for the fiscal year 1972-73, which revenue was collected and deposited with the City Treasurer.



## PURCHASING DEPARTMENT (Continued)

Personnel of the Bureau of Buying, under the supervision of the Assistant Director of Purchasing and Service, have periodic meetings to permit the exchange of ideas, the formulation of improved operating procedures, discussions of mutual problems, review and refinement of existing procedures and in general to keep the staff informed of the City-wide purchasing picture.

The many departments of the City serviced by the Purchasing Department do not always send their material received vouchers to the Purchasing Department in time for the department to take advantage of the discounts offered by various vendors, a loss of many thousands of dollars. The earned discounts for the fiscal year 1872-73 amounted to \$84,577.56.

A central warehouse system should be developed where all supplies could be received and distributed to various City departments as needed. This would allow a larger volume of buying and discounting of items as allowed by the vendors, provide direct control of inventory quantities and qualities, and enable the buyer to do a much better job.

The Coding Division under the Bureau of Buying, is responsible for the system now used by all requisitioning departments. This system has 90,000 different items and the Coding Division is constantly involved in the development of new materials and supplies identification coding, due to the fact that many requests are received for new code numbers and for cancellation of certain codes by the departments. Considerable saving to the City in money, materials, delivery time and much follow-up correspondence has been realized from the inspection by the Coding Division of all incoming requisitions for materials, supplies and equipment. This system has proven its worth in its accomplishments.

The Bureau of Stores and Equipment operates and maintains a central warehouse and storerooms in various City Departments; receives and issues materials, supplies and equipment for all departments of the City and County of San Francisco.

This bureau arranges for the sale of and sells surplus and obsolete personal property belonging to the City, exchanges equipment between departments, maintains a perpetual inventory of all materials purchased for the City and County, and makes periodic checks of such property. Insurance and the reporting of all accidents is also handled by this bureau.

The following locations are staffed and operated by the Bureau of Stores and Equipment:



PURCHASING DEPARTMENT (Continued)

<u>NAME &amp; LOCATION</u>	<u>AMOUNT OF INVENTORY</u>
Central Warehouse - 15th & Harrison Sts.	
Stationery	\$ 14,300.00
Janitorial Supplies	4,679.94
Foodstuffs, Misc.	
Furniture, etc.	
Dept. of Public Works - 2323 Army St.	108,640.86
Water Department - 1990 Newcomb Ave.	540,009.81
Hetch Hetchy - Moccasin, Calif.	53,790.76
SF Int'l. Airport - So. San Francisco	40,937.86
Municipal Railway - 24th & Utah Sts.	
and 2 sub stores	278,583.82
General Stores	
Washington & Mason	324,797.15
Potrero and one sub-store	112,564.00
Health Dept. SF General Hospital - 22nd & Potrero	227,425.67
Laguna Honda Hospital - 7th & Dewey	372,165.54
Recreation & Park Dept. - Golden Gate Park	35,924.28
Dept. of Electricity - 901 Rankin St.	73,936.41
Sheriff	91,698.19
Central Shop Store - Hall of Justice	38,269.26
Garage (sub-store)	

This Bureau is also responsible for the revenue from sales of surplus property and miscellaneous items.

On our visit to 15th and Harrison Streets, this Committee noticed several deficiencies; 1) Damaged food cans; which show signs of leakage, were not reported to the purchasing agent nor were any samples taken for spoilage or botulism. 2) The motorized hoist being used to stack pallets was not the proper type of hoist. The hoist was not capable of getting close enough to properly stack the pallets.

Upon our request to Mr. Gavin about the damaged food cans, an immediate investigation was conducted. Mr. Gavin has since outlined steps he has taken to prevent this situation from recurring.

The Reproduction Bureau provides centralized service to all City Departments for photography, offset printing, mimeographing, blue-printing, microfilming, and self-service copies.

The work done is often collated, folded, stitched or cut to size. Taking into consideration that this Bureau does not have modern equipment to do all the jobs that are processed, it is doing a good job.

The Central Shop and allied facilities provide necessary mechanical maintenance and repair service for all City departments and bureaus, except Public Utilities.



## PURCHASING DEPARTMENT (Continued)

The Central Shop, Quint Street operation, has four main maintenance shop areas: 1) Automobile, 2) Truck, 3) Fire Apparatus, and 4) Machine, as well as the following auxillary shops: Blacksmith, Pattern and Ladder Shop, Paint, Hose, Upholstery, Body and Fender, Tire and Service Station.

Along with the responsibilities for the maintenance and repair of mechanical equipment and school buildings, sewage plants, pumping stations and Public Buildings, this shop maintains 2,512 motorized units of the City-owned fleet.

Due to budget restrictions and the lack of a replacement program vehicles and machines are continually being repaired and overhauled instead of being retired.

This Committee commends Mr. Gavin and his staff for the superb job they are doing.

### RECOMMENDATIONS

1.A study should be made to find a suitable location for a central warehouse where supplies could be received and distributed to various City departments as needed. This would allow a larger volume of buying and discounting of items allowed by vendors and provide direct control of inventory.

2.A member of the Bureau of Buying should be appointed to officiate as an inspector for checking with different departments as to quantities and qualities of supplies received from the vendors.

3.Install rocks and paint strips on the storage area floor and walk-ways at the 15th & Harrison Central Warehouse, so more floor space can be gained. Provide proper motorized hoist so that pallets can be properly hoisted and stocked on top of each other so as to take full advantage of space.

4.Add personnel to the Reproduction Bureau. Purchase new needed equipment and replace old and obsolete type with modern type. This would avoid long delays in processing reproduction work requested by other departments.

5.A study should be made of Section 7.100 of the City Charter to determine whether it can be amended to give preference to local bidders on City contracts.

6.Establish a firm vehicle replacement procedure and replace vehicles over five years old. It is not good business practice to attempt to repair aged equipment since the cost of parts and the amount of labor involved increases markedly.



PURCHASING DEPARTMENT (Continued)

In some cases parts are not available immediately, causing long delays in placing vehicles and equipment back in operation.

Mrs. Laura G. Williams

Peter Cresci, Chairman



## LAW LIBRARY

The Law Library of the City and County of San Francisco was first organized in 1865 as the private library of a group of local attorneys. Dues were paid until 1870 when the private corporation became a public institution, which it is today. It is financed by filing fees from Superior and Municipal Courts with the City contributing a part of the budget.

Service requirements are increasing because the public is using the library to a greater degree. Half of the patrons are members of the bar. The other half consists of students and the public.

There has been a marked increase in the in propria persona appearances by litigants, which has substantially increased the use of the law library facilities by the general public.

The main reading room has books stored on the floor, creating an unsafe condition for the public.

Mr. Harold E. Rowe, the Law Librarian, is presently endeavoring to dispose of 1500 to 2000 volumes through book dealers throughout the country or to "place them" with an institution that can use these materials.

The Mills Tower Branch of the Law Library on Montgomery Street, operates with adequate space and does not have the particular problems from which the Main Branch suffers. The Mills Tower Branch has a collection of volumes numbering from 35,000 to 40,000 and it operates solely on filing fees.

With the inexhaustible flow of new volumes of cases and codes the City and County will eventually be forced to face the inevitable with congestion to the extent that books will occupy every inch of space, thereby preventing patrons, lawyers, students and general public from enjoying normal use of this valuable collection. This situation grows more crucial each year.

In spite of these poor circumstances, Mr. Rowe, and his staff manage to perform with highest possible proficiency and good humor.



## ADULT PROBATION DEPARTMENT

Insufficient staff remains as one of the acute problems of Adult Probation Department. Even though twenty additional positions were granted in 1973, the average caseload per probation officer is 217, a figure far exceeding the recommended figure of 125 cases per probation officer. The additional staff members include a management assistant, a supervising probation officer, six senior probation officers, seven deputy probation officers and five probation officer assistants. A study group from the office of the Mayor's Administrative Assistant recommended the addition of 107 staff members after making a survey which lasted for one week. Mr. Grubb, the Mayor's Administrative Assistant, reduced the figure to twenty.

The acquisition of these twenty positions has permitted many overdue operational improvements to be made that have resulted in relieving some of the burden of the Adult Probation Department.

- 1) A unit in Superior Court specifically designated to compile pre-sentence reports for the Court is now in operation.
- 2) Probation Officers have been sent into the community to serve from the following locations: a) Hunters Point/Bayview Community Center, b) Human Resources Department - Mission Street, c) County Jail - San Bruno, d) Y.M.C.A. - Golden Gate Avenue in conjunction with Northeast Community Mental Health Services (as soon as the building is refurbished). Desk space for these probation officers was granted by the respective agencies free of charge.
- 3) Establishment of a Drug Diversion Program to serve drug and narcotics users. This unit engages the services of three deputy probation officers. The San Francisco Library Commission has supplied a meeting facility in its Excelsior Branch.
- 4) Volunteer Program Unit - Several volunteer programs continue in full operation since January 10, 1972, with additional programs anticipated. Through a grant by the California Council for Criminal Justice, groups of volunteers are trained in a one-to-one case aide volunteer program. The twenty probation officers are pre-



## ADULT PROBATION DEPARTMENT (Continued)

sently involved in this program to assist the volunteer in adapting his one-to-one case aid training to the individual requirements of the probationer with whom the volunteer is working. Encouraging evidence of the worth of this program have been shown. The California Council for Criminal Justice will fund this program through 1975, then the program will be a regular budget item of the Department of Adult Probation. Hopefully the City and County of San Francisco will fund it after 1975.

5) The Base Expectancy Scoring Classification system enables "good probation risks" to be transferred from the Probation Officer's caseload to the Volunteer Unit. Fifteen hundred cases have been so transferred. The Probation Department of Seattle, Washington, recently inquired as to the degree of success of this program. Only four per cent of probationers put in that category have subsequently been re-arrested. This would seem to indicate the validity of the system.

6) The organizing of a short-term volunteer service is now in process to meet emergency needs of Probation Officers and their clients for securing employment, for transportation, etc.

## MUNICIPAL COURT DIVISION

Nine Trainee Probation Officers were secured by virtue of a grant under the Federal Emergency Employment Act. Their subsequent promotion to the classification of Probation Officer made possible their assignment to misdemeanor cases other than those involving merely supervision of Vehicle Code infringements. Superior Court (felony) cases are now also part of their assignment when one of their probationers is already on misdemeanor probation.

## Change in Court Procedure

1) In January of 1973 the practice of "Probation to the Municipal Court" rather than to the Probation Department was put into effect. This practice developed for the purpose of alleviating the caseload. Thus 3,291 cases formerly the responsibility of the Probation Department were transferred to the Municipal Court.

2) Traffic and drunk-driving offenders are now granted probation to the Court, the prerequisite being their payment of fines directly to the Court Clerk instead of to Adult Probation Department either in installments or in full. In other circumstances upon their promise to pay fines in full upon a given date, reasonably soon, a stay of execution is granted in lieu of probation. Thus again the caseload is reduced. This year the average caseload lowered from 270 to 217. This decrease allows each Probation Officer two days per week to see his probationers in their homes or on their jobs.



## ADULT PROBATION DEPARTMENT (Continued)

### SPECIAL SUPERVISION UNIT

The Special Supervision Unit has been removed from Hall of Justice to Community Office at 635 Potrero Avenue. In this Unit there are 80 probationers who are under the supervision of six probation officers, one supervisor and three clerical employees whose salaries are paid by the State under the Probation Subsidy Program.

Probationers within this unit have been referred by officers of the regular units and/or by the Courts. These clients receive the specialized supervision required because of their more serious criminal records. They are generally young men under 25 years of age, probably members of an ethnic minority, who have limited schooling or work experience, no trade, and who have been previously arrested. This kind of probationer must be closely supervised.

The Special Supervision Unit affords ideal circumstances for a high level of performance by the Probation Officer. Counseling methods include one-to-one sessions and group meetings which stimulate inventiveness and the interchange of ideas. Moreover, the probation officers have access to in-service training and professional consultation. Within this Unit there is a high quality of commitment.

### Work Furlough Program

This program has been in operation for a period of five years. Eleven thousand dollars were collected for administrative costs than for last year.

### Superior Court Division

Again this year the Probation Department will strive to develop units for investigation and units for supervision in addition to the units pre-sentencing which began in 1972.

The responsibilities of the Superior Court Division include serving the Master Calendar Department and three trial departments at the Hall of Justice as well as those trial departments located at City Hall.

During the concentrated drive of the Master Calendar Judges to clear the dockets of impending matters the Probation Officers were (contemporarily) supervising approximately 5,000 probationers and attempting to execute pre-sentence investigations. Inevitably, supervision and pre-sentence investigations suffered severely.

### SUMMARY

In spite of the relief in caseload resulting from the practice of "Probation to the Municipal Court", the addition of twenty



## ADULT PROBATION DEPARTMENT (Continued)

new staff members, the transfer of 1500 cases to the Volunteer Unit by "Base Expectancy Scoring Classification", the acquisition of nine trainee Probation Officers secured by a grant from Federal Emergency Employment Act and the services of 70 trainee volunteers, the case-load still remains inordinately high, with the City and County suffering because of the inability to properly supervise or, indeed, to supervise at all in some cases. This results in a lack of protection to the community and disconcerting outlook for the probation officer who has professionally prepared himself for rehabilitation of men and women who may be saved from a life of crime and incarceration. If rehabilitation fails it will not be the fault of the concept, but the absence of adequate staff.

Though constantly threatened with inundation by overload, Mr. Warren Jenkins, Chief Probation Officer, functions creditably to keep the department at its best and takes advantage of the teamwork of the Courts which has enured to the benefit of the department during 1973.

This Grand Jury Committee wishes also to express recognition of the efficient and generous services of the Volunteers.

## YOUTH GUIDANCE CENTER - JUVENILE COURT

### Girls' Center

The Girls' Center was opened in April 1972, in what was formerly a dependent children's cottage at the Youth Guidance Center. Since there were no County funds available, the cottage was painted, furnished, made cozy and homelike with hard labor, staff spirit and some financial assistance from the Volunteer Auxiliary. Candidates for admission to the Center, an open setting, are between the ages of 13 and 16 years, and have been committed by the Juvenile Court for out-of-home placement. The services within this program include those of the Juvenile Probation Department in conjunction with the San Francisco Unified School District and the Department of Public Health. Anticipating the child's ultimate return to the home, parental and family counseling is a vital part of the program. Parents and children have the privilege of requesting counsel whenever they feel so disposed, either with each other, in group sessions or individually.

The ideal staff should be racially integrated, well-trained and highly motivated in the effort to uncover latent talent and to discern special interests of the girls. The activities of the year have been broad and enthusiastically supported. They have included athletics, drama, sewing, food service, menu planning, gardening, personal grooming, cosmetology, guitar playing and photography.



## YOUTH GUIDANCE CENTER - JUVENILE COURT (Continued)

### Education

The school program is operated by the Court Schools. Often the girls who come to the Center lack incentive to pursue academic subjects. To stimulate interest in education is a primary concern. Hence the education program must include exposure to many varied approaches to learning in order to supply the impetus necessary for these young people to tackle the vast world of education. There are presently eight tutors for reading improvement serving from California State University at San Francisco.

### Volunteer Auxiliary

The Volunteer Auxiliary of the Youth Guidance Center was established in 1950. There are presently 300 contributing members, of whom 150 are active in services to the Center. During the year 150 members have contributed an average of 2,000 hours in day and night programs. In 1972 the program was expanded to become an extension of the regular services of Juvenile Court to dependent and delinquent children under the Court's jurisdiction.

The Auxiliary's extensive program is financed by donations, grants, membership dues, and fund raising events, such as the Fall Men and Women's Fashion Show. Fashions for this show were from Stonestown Shopping Center. Models were from the Youth Guidance Staff and from Auxiliary membership. Hostesses were members of the Girls' Center. The "Corner Store" situated in the lobby of Youth Guidance Center is an important source of income as is also the proceeds from the annual basketball game between Probation Officers and the 49ers.

This Committee recommends the immediate recruitment by the Minority Community of volunteers from which comes the majority of the wards of the Court. There are presently less than 10 members from the Minority community in an organization of more than 300 persons.

The Auxiliary furnishes not only the human touch, but also engages in performances of duties that directly assist the staff and the administrators.

#### 1) Probation Opportunity Program

The Auxiliary finances projects in which probation officers may take wards of the Court on outings to enhance the relationship of probation officer and child. These trips include cultural enrichment experiences, excursions, dinners, luncheons and various entertainment.

#### 2) Court Aides

This group was organized to assist in Traffic and Truancy Courts. These volunteers announce cases in order of arrival;



## YOUTH GUIDANCE CENTER - JUVENILE COURT (Continued)

supply the Hearing Officer with the appropriate file; record data on forms to be used by the Court; and direct the truant and his family to the Intake Division.

These services minimize confusion and delay in processing cases.

### 3) Job Training

A job training program was initiated this past year in which 11 girls from Girl's Center received part-time jobs in the Youth Guidance Center. Their salaries were paid from funds of the Volunteer Auxiliary. Their training, designed to enable them to acquire job skills, included experiences in the statistical department, sewing department and in various aspects of the "Corner Store" for operation.

Under its program for disadvantaged persons the Bank of America has employed one of the young ladies trained by the Volunteer Auxiliary. The Bank reports that an excellent job is being done by this employee.

The job training program is now expanded to include delinquent boys. Accordingly, the Auxiliary has now a probationer in the Statistics Department who is being trained in the Center after school.

The first ten graduates from the Pilot Culinary Arts Program at Log Cabin Ranch are now employed in service jobs at the Ranch. This program is also financed by the Volunteer Auxiliary.

### 4) Probation Aides

An Orientation and Training Program is given to potential assistants who will serve as adjuncts to probation officers.

### 5) Tutoring

One of the most vital functions of the over-all program is the tutorial service. The end for the need is nowhere in sight.

The remaining program of the Auxiliary includes:

a) Sunday bus trips to transport families to visit their children in Hidden Valley Ranch and in Log Cabin Ranch. Many families would be unable to visit their sons without this accommodation

b) During the year members of the Girls' Center were taken to theatre (A.C.T.) Ice Follies, and trips to Santa Cruz.



YOUTH GUIDANCE CENTER - JUVENILE COURT (Continued)

c) Christmas Wrapping Room - During the year 4,000 Christmas gifts were wrapped in the period of November 12, through December 21, by Auxiliary members and by the general public, to be distributed to children at the Center, to two Ranches, children on probation in their homes, foster homes or institutions. Some gifts are purchased by the Auxiliary, others are donated

d) Recreation Program - Regular outings Wednesday and Saturday afternoons for dependent children. A new program which introduced wooden roller skating sessions in the gymnasium, and involving dependent and delinquent children, has proven excellent for working off energy.

This Grand Jury Committee expresses highest admiration of this fine organization and perceives it to be the soul of the Youth Guidance Center performing as it does with zeal, warmth, and personal concern for the children of the Court. Mrs. Edward Donohue is the President, under whose leadership this excellent program was conducted during 1973.

Probation Officer Trainees for 1974

The Juvenile Court is sought to hire six Probation Officer Trainees for 1974. To secure the funds necessary to accomplish this objective a request was made in the budget submitted for the 1974-75 fiscal year. This request was deleted from the budget.

If the necessary funds had been granted six college graduates could have entered the Juvenile Probation system without meeting the present requirements that make it mandatory to have served one year of full-time paid professional experience within the last five years in probation or parole work, or two years of full-time paid professional experience as a correctional counselor in a Juvenile Court system. A Master's degree in various behavioral sciences would be accepted in lieu of experience. In the past there have been few minority persons applying for positions in the Juvenile Court system. It had been hoped that the Probation Officer Trainee positions might attract Black, Chicano, Latino and other ethnic minority applicants.

Considering that there is a preponderance of minority children among those who are served through the various facilities of the Juvenile Court it is expedient to endeavor to maintain a racially representative staff throughout.

Judging from past experience with a Probation Officer Trainee Program under the Emergency Employment Act, it is felt by the Department that this method will attract candidates at the college graduate level who will be excellent prospective Probation Officers.



## YOUTH GUIDANCE CENTER - JUVENILE COURT (Continued)

This program is meritorious. It deserves implementation if for no other reason than that it will enable the Youth Guidance Center to train minorities to assist in handling a Juvenile Court minority constituency that is in excess of fifty per cent.

### Juvenile Court - School - Police Liaison

During the year a program known as the Co-ordination Program was planned. It was to have involved the Juvenile Court, the Unified School District and the Police Department. Through joint operation it was intended to interrupt behavior difficulties or learning problems of the minor at a very early stage before the difficulties became serious; to engage the combined services of school counselors, Police and probation officers, to possibly prevent the child from ever becoming a ward of the Juvenile Court. The program was to have begun in five Junior High Schools; Pelton, Horace Mann, Herbert Hoover, Denman and Visitacion Valley.

The proposal was overwhelmingly rejected for various reasons. Two of the more important reasons are:

- 1) The school principals and the community felt that they should have been involved during the planning stages.
- 2) The inclusion of the Police Department in the proposed program.

This Committee finds the objectives of the Co-ordination Project to be laudible and believes that a bona fide restatement of the purposes made at the propitious time to the schools and to the community whose children are to be the beneficiaries, will result in good faith and success.

As to the "panic" reaction of the community to the proposed participation of the Police, this Committee recommends an examination by the Police Department and by the community of the image each has of the other.

The embroilie in which we find ourselves is indeed a trouble-some complication of affairs. Extrication seems impossible, yet the relationship must be resolved.

No one of these agencies individually can do the job as envisioned. It requires the combined and unique skills of the three departments. The composite first working with one another to formulate a cohesive alliance may then approach the more sensitive goal of offering their services to the community.



YOUTH GUIDANCE CENTER - JUVENILE COURT (Continued)

Log Cabin Ranch

Log Cabin Ranch received \$199,000. through Federal Law Enforcement Assistance Act through the Council on Criminal Justice, to convert the vocational and educational programs to meet the needs of today. The revised program will teach trades and skills such as:

- 1) Warehouse operation including forklift training, storage technique, inventory work and bookkeeping.
- 2) Restaurant operation and elements of food handling.
- 3) Repair of small household appliances
- 4) Blueprint reading
- 5) Operation of small business machines.

Thus, as the boys return to their homes it is hoped they will have acquired, among other benefits, job skills which will enable them to be gainfully employed.

The current academic program will be enhanced to accomodate those who desire to pursue higher education and those who, by direct and persistent effort, can be encouraged to include academic training in their immediate plans.

Under the terms of the federal funding a private corporation experienced in the U. S. Job Corp operations, is in charge of execution of the program. The corporation will take responsibility for this program which will include community follow-through for actual job placement and/or return to the school of the child's choice when the child is discharged from Log Cabin Ranch.

This committee anticipates the enthusiastic reception of this program by the young people for whom it is designed and foresees a new intensity of purpose in their daily lives.

Juvenile Hall

During the year the new co-ed Reception Unit was established within Juvenile Hall. The existence of this facility fortunately eliminates the awkward and unpleasant necessity of taking children handcuffed and escorted through hallways in plain sight of the public. Another positive result is the elimination of mixing first offenders with the more sophisticated delinquent children in the various detention cottages.



YOUTH GUIDANCE CENTER - JUVENILE COURT (Continued)

Hidden Valley Ranch

In addition to its regular long-term commitment program, Hidden Valley Ranch is now operating a 90-day Evaluation Program. The program has been used to alleviate immediate crisis when removal from the home is indicated. It has made possible the earlier return to the community and further treatment during the evaluation program. The diagnostic program functions by virtue of the assignment of probation staff and psychiatric clinic staff to new roles in working with children. It has been a most valuable resource to the Judgee and to the children served.

Neglected and Dependent Children

Relative to dependent and/or neglected children under jurisdiction of Youth Guidance Center, the Juvenile Court Administration is continuing to work with community agencies public and private, to find alternative shelter off the premises.

Mayor's Criminal Justice Council

Juvenile Court Administration has participated within the Mayor's Council on Criminal Justice serving on the executive committee and its task force relative to juvenile problems. The purpose is for the planning and implementation by public and private groups of diversion and treatment programs for troubled children.

Recurring Request for Three Assistant District Attorneys

Under the Welfare and Institution Code, when a child is charged with an offense, the Probation Officer must sign the petition and present the charges. An interviewing session between the Probation Officer and the child is conducted in a non-hostile atmosphere and the child responds accordingly, feeling the confidentiality of the interview as well as the concern of the Probation Officer. On the day of the trial however, the child hears the facts he has divulged being used by the Probation Officer to prove a case against him. The Probation Officer is then perceived as an adversary, which he really is in the dual role that is forced upon him under the present practice.

This Committee recommends: 1) The immediate abandonment of this adversary procedure, frustrating and demoralizing as it is to the Probation Officer and to the client. The relationship between the two must be protected in order for rehabilitation efforts to be successful. 2) The engagement of three Assistant District Attorneys to do this job, a recommendation that has appeared in Grand Jury Reports for the past three years.

Summary

This Committee recognizes that this report scarcely touches



YOUTH GUIDANCE CENTER - JUVENILE COURT (Continued)

the extensive program of Youth Guidance Center with its counterparts within and outside of the City. The report does, however, represent many fully cooperative hours allocated to us, of the combined time of the Honorable Francis W. Mayer, Judge of the Juvenile Court; Joseph J. Botka, Chief Juvenile Probation Officer, Ms. Jane Cassidy, Assistant Chief Probation Officer; Robert L. Foote, Director of Juvenile Hall, members of Probation Officer's staff during our period of "learning" about Juvenile Court; plus frequent telephone inquiries by the committee during preparation of this report, and a personal visit by the Chief Probation Officer to the Grand Jury to explain matters of mutual interest.

The program of the Juvenile Court under the direction of Mr. Joseph J. Botka, Chief Probation Officer, operates in a very positive way to take full advantage of opportunities to augment and/or revise existing programs and with inventiveness to create new programs designed to return to the community young people who have acquired a sense of self-esteem and purpose, hopefully diverted from the kind of life that brought them to the Juvenile Court.

This Grand Jury Committee wishes, however, to recommend that in the immediate future a concentrated effort be made to correct the paucity of staff members who represent the ethnic minority community. The presence of said minority staff members is invaluable in dealing understandingly with minority cultures and background and is indispensable for supplying the all-important morale element. Further, where justice is dispensed there should not be racial imbalance, since this is observed both by the public and by the wards of the Court.

Albert D. Levy

Samuel Martinez

Mrs. Laura G. Williams, Chairman



## MUNICIPAL COURT

The Municipal Court continues to suffer from crucially inadequate courtrooms, juror assembly facilities and general space incident to the execution of its duties.

In spite of this handicap of several years duration the Municipal Court has reason to feel a sense of accomplishment in numerous aspects of its administration during 1973.

### Traffic Computerization Program

The existing manual card system has been replaced with terminals and computers. Implementation of this new system began on February 1, 1974.

When fully implemented this program will allow immediate deposit of funds, location of citations, automatic mailing of notices and warrants, and an immediate accounting of records, daily, monthly and annually. Terminals will be installed which will provide direct contact with the Department of Motor Vehicles. This will allow the Court to obtain immediate information and will eliminate any problems on warrant recalls. A terminal will be installed from the Court directly to the Police Information Network (P.I.N.) for warrant recalls.

The Traffic Fines Bureau and the Surety Bond and Court Probation Office will be redesigned for security in all fields, such as:

- a.) Money counting and mail opening room with video cameras and screens installed in the Deputy Chief and Accounting Offices.
- b.) Security alarm buttons for emergency police summoning at all collection windows.
- c.) High windows, doors and gates to prevent unwanted access by individuals to the Traffic Bureau and bail bond office.
- d.) Control of ingress and egress to bureau office and security hallways.
- e.) Double-door security entrance to the Traffic Bureau.

### Mailgrams

The Court may now immediately secure names of heads of



## MUNICIPAL COURT (continued)

corporations owing bail or warrants by use of Mailgrams, a Western Union designed telegram.

The mailgram is sent to the appropriate person giving the date for him to appear. More than \$100,000 has been collected of hitherto practically uncollectible warrants of corporations government agencies and charities.

## Driving While Intoxicated Program (DWI)

First-time convicted offenders, as a condition of probation are compelled to attend four weekly sessions of "Driving While Intoxicated School" or conditions of probation will be put into effect. The tuition is \$30.00. The school began in July 1973, conducted in conjunction with National Council on Alcoholism.

Because of the encouraging results of the first session a second class was commenced in January 1974. The Court believes this program will reduce the number of "repeat drunk drivers."

## Probation to the Court Instead of to the Probation Department

This program was designed to relieve the excessive caseload of the Adult Probation Department. Those cases requiring payment of fines but little or no reporting by probationers were assigned to the Municipal Court. Fines imposed on these defendants exceeded \$600,000. Payments collected since January 1973, are in excess of \$275,000.

## New Surety Bond System and Deferred Fine Collections

In the near future a new surety bond control program called a "peg-board" system will supply improved accounting for the Court and for the controller. The program will be executed by a Judicial Council management team in conjunction with the Controller's Office. Beginning December 1, 1973, a "peg-board" system was adopted for probation installment fine collection.

## Automated Criminal Calendars and Indexes

The Municipal Court, Superior Court and other departments will be co-operating in a computerized calendar preparation and indexing system, beginning in July 1974. It will be installed in the Criminal Division for instant location of cases, attorneys and dispositions.

## Diversion Program

The Municipal Court, working with the Department of Public Health, the San Francisco Police Department and private agencies is engaged in an Inebriate Diversion Program. The program is funded by the



## MUNICIPAL COURT (continued)

Bureau of Alcoholism. A defendant in this program is placed on pre-trial probation to avoid police procedures, court hearings, trials and legal fees. Rehabilitation facilities are made available to him with the intent of aiding him in meeting the requirements of probation which will enable him to return to society without having undergone criminal prosecution. Comparable programs are accessible to first-time drug offenders.

## Project 20 Traffic Program - Alternative Assignment Project

Those persons who cannot post bail or pay fines may work off their debts in various jobs offered by participating agencies. Donations to a blood bank are an acceptable alternative. City agencies and non-profit community service agencies accept indigents who wish to take advantage of this method of paying fines. This project is financed by the San Francisco Foundation which assures at least a year of organized administration.

## Criminal Court Arraignment Department Plan

In January 1973, a plan was put into effect employing the use of one felony arraignment department and two misdemeanor arraignment departments. The plan requires that all new criminal charges be assigned to those departments where evaluation, settlement discussions or eventual assignment of cases for trial from these to other available departments will be centered. The plan has worked well. There has been a noticeable increase in dispositions prior to trial, a drop in criminal jury cases pending and increased pleas in felony matters thus reducing the number of cases sent to the Superior Court. This program has been successful in reducing trial time and delaying tactics sometimes employed by counsel. The amount of time to trial dates has been reduced as have transcript fees for felony cases held over to Superior Court.

## Combined Superior - Municipal Court Jury Panel

On February 1, 1974, use of the common panel began. The Superior Court selects and provides jurors for both courts. The expenses of records, payments, selection, screening, will be indicated in the 1975 budget of Superior Court. It is expected by the Judges that using the common panel will result in more efficient jury selection, better use of jurors and a saving of thousands of dollars since fewer jurors will be summoned.

## Court Administration Program

Court administration was further enhanced during the year by the addition of three specialists through Federal grants.

- 1.) A Traffic Commissioner who aided in reducing the backlog



MUNICIPAL COURT (continued)

in the Traffic Division.

- 2.) An Executive Assistant to the Presiding Judge especially concerned with Municipal Court administration including computerization.
- 3.) Assistance from Judicial Council Management Team in improving traffic and criminal procedures and record keeping. This team of management experts assisted the Criminal Division in development of forms and procedures for recording of surety bonds and probation payments.

Summary

Appropriate revisions in operation have resulted in greater efficiency, greater economy to the tax payers, expanded services to counsel and to client causing more expeditious processing of cases.

Computerization programs are presently in use with others to become operative in the near future.

Small Claims Courts are being used extensively by the public and by corporations. Cases are heard daily at 8:15 A.M. Special court for corporations is held Friday afternoons.

Night Traffic Program operates two courts on Thursday evenings each to hear sixty parking and moving protest cases.

Municipal Court Judges have served as Superior Court Judges pro tempore and to assist Superior Court in other matters as time permits.

The Municipal Court calendars are in excellent condition. However, the heavy criminal caseload could be greatly relieved by the use of two or three civil departments at City Hall. This would entail the services of additional District Attorneys which the Court hopes can be provided.

The Adult Probation Department realized a substantial caseload relief in the sum of 3291 cases, as the result of the Probation to the Municipal Court Program.

This Grand Jury Committee takes notice of the substantial accomplishments of the Municipal Court during 1973, under the leadership of the Honorable Harry W. Low, Presiding Judge, and during the first part of 1974, under the leadership of the Honorable Raymond J. Reynolds, and believes that the results of the performance of the Municipal Court Team will be felt for a while to come.



## SUPERIOR COURT

As in past years lack of adequate space is a primary concern of the Superior Court. Twice bond issues have failed that would have financed the addition of two floors at the Hall of Justice. Seven courtrooms, four for the Superior Court and three for the Municipal Court, plus a Jurors' Assembly Room would have been provided. Presently consideration is being given to other possible sources for financing the desired construction at the Hall of Justice.

The absence of adequate accommodations denies the Court the opportunity to take advantage of the services of retired judges from time-to-time, of visiting judges from other counties or judges pro tem to aid in reducing the trial calendar.

Security problems exist when prisoners assigned to Criminal Departments at City Hall must be transported through public corridors to courtrooms and placed in "improvised holding cells."

The lack of Juror Assembly Rooms at the City Hall and the Hall of Justice forces jurors to stand around the hallways of both buildings when they are not actually in the courtroom. Such assembly rooms would not only accommodate the jurors more comfortably and efficiently, but would also be a convenient facility for the Court. Conversations regarding cases that were "overheard" in hallways where attorneys, clients and witnesses are forced to confer in the absence of appropriate private quarters have resulted in the declaration of mistrials causing time loss to attorneys, clients and the Court.

### Proposal to Eliminate Space Inadequacy

It is proposed that when the new San Francisco General Hospital is completed the Public Health Department, presently located at 101 Grove Street, be removed to the new hospital. The Courts could then request that offices on the second and third floors of the City Hall, which could adapt well to the Grove Street address, be moved to that location, thus vacating space usable by the Superior and Municipal Courts for courtrooms, offices and a Jurors' Assembly Room in the City Hall. We recommend this as a highly satisfactory solution until such time as a new building can be erected on Commerce Field as previously recommended by this Grand Jury or until other adequate facilities may be secured.

### County Clerk

Under the Constitution and laws of this State the County Clerk, who is a county officer, also acts ex-officio as Clerk of the Superior Court. In San Francisco the office of County Clerk is a



## SUPERIOR COURT (continued)

Civil Service position. This Committee concurs in the recommendation by the judges of the Superior Court that there be an amendment of the City Charter to permit the judges to appoint the County Clerk thereby allowing the Clerk to function more advantageously for the Court.

### Certificate of Readiness Program

The Court now invites parties to actions that can be brought to trial within six months to file Certificates of Readiness, memoranda having previously been filed stating that the action is at issue. Failure to respond with a Certificate of Readiness to two invitations sent out in two succeeding months can result in removal of the case from the Civil Active List and loss of position on that list. For a case to be restored to the Civil Active List a new At-Issue Memorandum must be filed and a delay is suffered in securing a trial date. Cases in which Certificates of Readiness are filed are placed on the Pretrial Calendar and assigned trial dates.

This program has permitted the Court to reduce the time from the filing of the At-Issue Memorandum to trial from 32 months to 24 months. The program also enables the Court to eliminate cases from the Civil Active List that are not ready for trial or that are not actually going to be tried.

### Settlement Conference Program

This program, which became effective January 7, 1974, makes it possible for long cause civil cases to have a settlement conference seven to ten days before the trial date which may result in settlement of the case. Prior to this date settlement conferences were held at the request of a party to the action, usually several months before trial. It is believed that settlement conferences held on a date closer to trial will be more effective because the parties will either have to settle or be ready to proceed with trial very shortly after the conference. All cases estimated to require five or more days for trial are given a mandatory settlement conference date with a view toward settlement of the longer cases which require a greater share of the Court's time. When cases are expected to require less than five days a voluntary settlement conference may be requested. It is believed that more realistic negotiations are possible when the trial date is close at hand.

A further advantage of the Settlement Conference Program is that many cases actually settle at the conferences or reasonably soon afterward. This enables the Court to maintain a more accurate calendar each week and affords the Court the opportunity to set more cases for trial. The Civil Active List will therefore reflect a decrease in the number of cases pending.



## SUPERIOR COURT (continued)

### Common Jury Panel

Since February 1, 1974, jury panels for both the Municipal and Superior Courts have been summoned by the Superior Court. This combined jury pool is expected to save thousands of dollars for the taxpayers as well as permit better use of jurors who are able to serve either Court. Duplicate procedures have been eliminated and the Municipal Court Jury Commissioner's Office has been eliminated. Other Municipal Court Jury Office employees will be assigned other tasks. Potential jurors will be called less frequently and will be more likely to be used when called. The Jury Pool is a more convenient arrangement for the citizens who are called to serve.

### Re-establishment of Domestic Relations Department

In 1972 the Domestic Relations Department was abolished and Domestic Relations matters were heard by a pool of judges on Fridays. However, it was determined by the judges and the San Francisco Bar Association that the Domestic Relations Department should be re-established: Therefore, in January 1974, the Court took such action and a judge was assigned to the Domestic Relations Department.

### Court Commissioner Appointments

This Committee calls attention to the fact that there are no members from the ethnic minority community serving as appointees of the Court as Court Commissioners or as Assistant Court Commissioners. This Committee is however, happy to note the appointment of women in some of these positions and is hopeful that the ethnic minority community be duly represented at the most feasible opportunity.

During the administrations of the Honorable Joseph Karesh, and the Honorable Clayton W. Horn as Presiding Judges of the Superior Court, accomplishments have been made that command very worthy attention and acclaim.

In conjunction with Municipal Court and with the Bar, there has been a reduction in backlog cases and efforts have been made to expeditiously bring cases to trial. These accomplishments are particularly timely because of the trend nationally, toward the ever-increasing volumes of cases.

Our Courts have met these challenging times in an orderly and efficient manner.

Albert D. Levy

Samuel Martinez

Mrs. Laura G. Williams, Chairman



## DEPARTMENT OF FINANCE AND RECORDS

The Director of Finance and Records, Mr. Virgil L. Elliot, with the approval of the Chief Administrative Officer, has charge of and is responsible for the proper administration of the offices within the Department of Finance and Records. The Director of Finance and Records is also the appointing officer of the personnel in these offices. He has further duties of a staff nature to the Chief Administrative Officer, one of which is the preparation of the San Francisco Revenue Program. The offices which are under the direct control of the Director of Finance and Records are the County Clerk, the Recorder, the Records Center, the Registrar of Voters, the Public Administrator - Public Guardian, the Tax Collector, the Department of Agriculture and Weights and Measures, and the Farmer's Market, which is supervised under the Department of Agriculture and Weights and Measures.

In many cases Mr. Elliot has displayed his ability to supervise the operations under his control in a highly professional and efficient manner and this Committee takes this opportunity to commend him.

This Committee understands the problems and the priorities that are assigned to the needs of the various offices and the process of obtaining the necessary funds. We will not dwell on history or statistics since these are available in the annual report. Any questions regarding the various offices under the control of the Director will appear in the report of that specific office, together with such recommendations that this Committee feels are pertinent.

Previous to the retirement of Mr. Martin Mongan, who served as County Clerk-Recorder, the Offices of County Clerk and Recorder had been combined and the functions of both offices were conducted under the supervision of Mr. Mongan. Since his retirement however, the responsibility for supervising these offices has been divided. Both of these offices have their own responsibilities and are treated separately in this report.

## COUNTY CLERK

There are four offices comprising the County Clerk's office and they are located in widely separated areas of the City. The administrative office of the County Clerk is located in the main office at City Hall. Other offices are located at the Hall of Justice, the Youth Guidance Center, and the San Francisco General Hospital. The 1972 Grand Jury explored the County Clerk's office in depth and brought to light the problems. That Grand Jury requested that an audit be



COUNTY CLERK (Continued)

made. Their recommendations for this office including additional staff of a more qualified nature, more space, and a single building or building area, concerned the City Hall office only. This Grand Jury can readily see the reasons for such recommendations. The branch offices serve their purpose well because of their location, since the files, briefs, and records are on the scene and are readily available.

When the functions of the County Clerk's office are considered, it is apparent that the need for physical facilities is a basic problem. The County Clerk's office serves as the ministerial arm and office of record of the Superior Court, and as such, maintains files, case histories, records, and other related documents pertinent to the functions of the Superior Court. In addition, statutory indices are maintained such as the Corporate Index, Partnership and Fictitious Name Index, Notary Public Index and other indices necessary for the filing and locating of documents for the use of litigants, their representatives, the courts, and the citizens of San Francisco that require such services. The issuance of marriage licenses is another function of the County Clerk's office. With the increased court load, the many legislative enactments and the documents relative thereto, the office becomes a repository for the mountains of papers and files, which must be indexed and made available. All this requires file cabinets, shelves, and other equipment, but the additional space required is not available. Additional space is required for desks and furnishings as well as for a check out system for files and documents that are requested for study by the litigants in any action, or by the Court. The space problem becomes even more critical when one considers the necessity for maintaining a duplicating system and the necessary duplication equipment.

This Committee has reviewed the matter of security in this office relative to the control of these valuable documents, and the method of check-out. We concur with the view of the 1972 Grand Jury in this respect, that security should be tightened thus avoiding the time loss and inconvenience of locating misplaced or missing folders or documents. The Acting County Clerk, Robert Hare, has instituted a system for checking out files which it is hoped will improve the situation concerning missing files. It has also been noted by the Committee that a replacement has been requested for the County Clerk's cash register which has been the subject of recommendations by past Grand Juries. This cash register is undergoing constant repairs and should be replaced.

Pressure was brought to bear for reorganization of the County Clerk's office and as of this writing, many significant changes have been made in which some space has been gained. A study and reorganization was directed by the Chief Administrative Officer, which should produce some operational improvements. Funds have recently been made available by the Board of Supervisors for reconstruction of the County Clerk's City Hall office which should provide more usable space



YOUTH GUIDANCE CENTER - JUVENILE COURT (Continued)

the extensive program of Youth Guidance Center with its counterparts within and outside of the City. The report does, however, represent many fully cooperative hours allocated to us, of the combined time of the Honorable Francis W. Mayer, Judge of the Juvenile Court; Joseph J. Botka, Chief Juvenile Probation Officer, Ms. Jane Cassidy, Assistant Chief Probation Officer; Robert L. Foote, Director of Juvenile Hall, members of Probation Officer's staff during our period of "learning" about Juvenile Court; plus frequent telephone inquiries by the committee during preparation of this report, and a personal visit by the Chief Probation Officer to the Grand Jury to explain matters of mutual interest.

The program of the Juvenile Court under the direction of Mr. Joseph J. Botka, Chief Probation Officer, operates in a very positive way to take full advantage of opportunities to augment and/or revise existing programs and with inventiveness to create new programs designed to return to the community young people who have acquired a sense of self-esteem and purpose, hopefully diverted from the kind of life that brought them to the Juvenile Court.

This Grand Jury Committee wishes, however, to recommend that in the immediate future a concentrated effort be made to correct the paucity of staff members who represent the ethnic minority community. The presence of said minority staff members is invaluable in dealing understandingly with minority cultures and background and is indispensable for supplying the all-important morale element. Further, where justice is dispensed there should not be racial imbalance, since this is observed both by the public and by the wards of the Court.

Albert D. Levy

Samuel Martinez

Mrs. Laura G. Williams, Chairman



## MUNICIPAL COURT

The Municipal Court continues to suffer from crucially inadequate courtrooms, juror assembly facilities and general space incident to the execution of its duties.

In spite of this handicap of several years duration the Municipal Court has reason to feel a sense of accomplishment in numerous aspects of its administration during 1973.

### Traffic Computerization Program

The existing manual card system has been replaced with terminals and computers. Implementation of this new system began on February 1, 1974.

When fully implemented this program will allow immediate deposit of funds, location of citations, automatic mailing of notices and warrants, and an immediate accounting of records, daily, monthly and annually. Terminals will be installed which will provide direct contact with the Department of Motor Vehicles. This will allow the Court to obtain immediate information and will eliminate any problems on warrant recalls. A terminal will be installed from the Court directly to the Police Information Network (P.I.N.) for warrant recalls.

The Traffic Fines Bureau and the Surety Bond and Court Probation Office will be redesigned for security in all fields, such as:

- a.) Money counting and mail opening room with video cameras and screens installed in the Deputy Chief and Accounting Offices.
- b.) Security alarm buttons for emergency police summoning at all collection windows.
- c.) High windows, doors and gates to prevent unwanted access by individuals to the Traffic Bureau and bail bond office.
- d.) Control of ingress and egress to bureau office and security hallways.
- e.) Double-door security entrance to the Traffic Bureau.

### Mailgrams

The Court may now immediately secure names of heads of



## MUNICIPAL COURT (continued)

corporations owing bail or warrants by use of Mailgrams, a Western Union designed telegram.

The mailgram is sent to the appropriate person giving the date for him to appear. More than \$100,000 has been collected of hitherto practically uncollectible warrants of corporations government agencies and charities.

## Driving While Intoxicated Program (DWI)

First-time convicted offenders, as a condition of probation are compelled to attend four weekly sessions of "Driving While Intoxicated School" or conditions of probation will be put into effect. The tuition is \$30.00. The school began in July 1973, conducted in conjunction with National Council on Alcoholism.

Because of the encouraging results of the first session a second class was commenced in January 1974. The Court believes this program will reduce the number of "repeat drunk drivers."

## Probation to the Court Instead of to the Probation Department

This program was designed to relieve the excessive caseload of the Adult Probation Department. Those cases requiring payment of fines but little or no reporting by probationers were assigned to the Municipal Court. Fines imposed on these defendants exceeded \$600,000. Payments collected since January 1973, are in excess of \$275,000.

## New Surety Bond System and Deferred Fine Collections

In the near future a new surety bond control program called a "peg-board" system will supply improved accounting for the Court and for the controller. The program will be executed by a Judicial Council management team in conjunction with the Controller's Office. Beginning December 1, 1973, a "peg-board" system was adopted for probation installment fine collection.

## Automated Criminal Calendars and Indexes

The Municipal Court, Superior Court and other departments will be co-operating in a computerized calendar preparation and indexing system, beginning in July 1974. It will be installed in the Criminal Division for instant location of cases, attorneys and dispositions.

## Diversion Program

The Municipal Court, working with the Department of Public Health, the San Francisco Police Department and private agencies is engaged in an Inebriate Diversion Program. The program is funded by the



## MUNICIPAL COURT (continued)

Bureau of Alcoholism. A defendant in this program is placed on pre-trial probation to avoid police procedures, court hearings, trials and legal fees. Rehabilitation facilities are made available to him with the intent of aiding him in meeting the requirements of probation which will enable him to return to society without having undergone criminal prosecution. Comparable programs are accessible to first-time drug offenders.

## Project 20 Traffic Program - Alternative Assignment Project

Those persons who cannot post bail or pay fines may work off their debts in various jobs offered by participating agencies. Donations to a blood bank are an acceptable alternative. City agencies and non-profit community service agencies accept indigents who wish to take advantage of this method of paying fines. This project is financed by the San Francisco Foundation which assures at least a year of organized administration.

## Criminal Court Arraignment Department Plan

In January 1973, a plan was put into effect employing the use of one felony arraignment department and two misdemeanor arraignment departments. The plan requires that all new criminal charges be assigned to those departments where evaluation, settlement discussions or eventual assignment of cases for trial from these to other available departments will be centered. The plan has worked well. There has been a noticeable increase in dispositions prior to trial. a drop in criminal jury cases pending and increased pleas in felony matters thus reducing the number of cases sent to the Superior Court. This program has been successful in reducing trial time and delaying tactics sometimes employed by counsel. The amount of time to trial dates has been reduced as have transcript fees for felony cases held over to Superior Court.

## Combined Superior - Municipal Court Jury Panel

On February 1, 1974, use of the common panel began. The Superior Court selects and provides jurors for both courts. The expenses of records, payments, selection, screening, will be indicated in the 1975 budget of Superior Court. It is expected by the Judges that using the common panel will result in more efficient jury selection, better use of jurors and a saving of thousands of dollars since fewer jurors will be summoned.

## Court Administration Program

Court administration was further enhanced during the year by the addition of three specialists through Federal grants.

- 1.) A Traffic Commissioner who aided in reducing the backlog



MUNICIPAL COURT (continued)

in the Traffic Division.

- 2.) An Executive Assistant to the Presiding Judge especially concerned with Municipal Court administration including computerization.
- 3.) Assistance from Judicial Council Management Team in improving traffic and criminal procedures and record keeping. This team of management experts assisted the Criminal Division in development of forms and procedures for recording of surety bonds and probation payments.

Summary

Appropriate revisions in operation have resulted in greater efficiency, greater economy to the tax payers, expanded services to counsel and to client causing more expeditious processing of cases.

Computerization programs are presently in use with others to become operative in the near future.

Small Claims Courts are being used extensively by the public and by corporations. Cases are heard daily at 8:15 A.M. Special court for corporations is held Friday afternoons.

Night Traffic Program operates two courts on Thursday evenings each to hear sixty parking and moving protest cases.

Municipal Court Judges have served as Superior Court Judges pro tempore and to assist Superior Court in other matters as time permit.

The Municipal Court calendars are in excellent condition. However, the heavy criminal caseload could be greatly relieved by the use of two or three civil departments at City Hall. This would entail the services of additional District Attorneys which the Court hopes can be provided.

The Adult Probation Department realized a substantial caseload relief in the sum of 3291 cases, as the result of the Probation to the Municipal Court Program.

This Grand Jury Committee takes notice of the substantial accomplishments of the Municipal Court during 1973, under the leadership of the Honorable Harry W. Low, Presiding Judge, and during the first part of 1974, under the leadership of the Honorable Raymond J. Reynolds, and believes that the results of the performance of the Municipal Court Team will be felt for a while to come.



## SUPERIOR COURT

As in past years lack of adequate space is a primary concern of the Superior Court. Twice bond issues have failed that would have financed the addition of two floors at the Hall of Justice. Seven courtrooms, four for the Superior Court and three for the Municipal Court, plus a Jurors' Assembly Room would have been provided. Presently consideration is being given to other possible sources for financing the desired construction at the Hall of Justice.

The absence of adequate accommodations denies the Court the opportunity to take advantage of the services of retired judges from time-to-time, of visiting judges from other counties or judges pro tem to aid in reducing the trial calendar.

Security problems exist when prisoners assigned to Criminal Departments at City Hall must be transported through public corridors to courtrooms and placed in "improvised holding cells."

The lack of Juror Assembly Rooms at the City Hall and the Hall of Justice forces jurors to stand around the hallways of both buildings when they are not actually in the courtroom. Such assembly rooms would not only accommodate the jurors more comfortably and efficiently, but would also be a convenient facility for the Court. Conversations regarding cases that were "overheard" in hallways where attorneys, clients and witnesses are forced to confer in the absence of appropriate private quarters have resulted in the declaration of mistrials causing time loss to attorneys, clients and the Court.

### Proposal to Eliminate Space Inadequacy

It is proposed that when the new San Francisco General Hospital is completed the Public Health Department, presently located at 101 Grove Street, be removed to the new hospital. The Courts could then request that offices on the second and third floors of the City Hall, which could adapt well to the Grove Street address, be moved to that location, thus vacating space usable by the Superior and Municipal Courts for courtrooms, offices and a Jurors' Assembly Room in the City Hall. We recommend this as a highly satisfactory solution until such time as a new building can be erected on Commerce Field as previously recommended by this Grand Jury or until other adequate facilities may be secured.

### County Clerk

Under the Constitution and laws of this State the County Clerk, who is a county officer, also acts ex-officio as Clerk of the Superior Court. In San Francisco the office of County Clerk is a



## SUPERIOR COURT (continued)

Civil Service position. This Committee concurs in the recommendation by the judges of the Superior Court that there be an amendment of the City Charter to permit the judges to appoint the County Clerk thereby allowing the Clerk to function more advantageously for the Court.

### Certificate of Readiness Program

The Court now invites parties to actions that can be brought to trial within six months to file Certificates of Readiness, memoranda having previously been filed stating that the action is at issue. Failure to respond with a Certificate of Readiness to two invitations sent out in two succeeding months can result in removal of the case from the Civil Active List and loss of position on that list. For a case to be restored to the Civil Active List a new At-Issue Memorandum must be filed and a delay is suffered in securing a trial date. Cases in which Certificates of Readiness are filed are placed on the Pretrial Calendar and assigned trial dates.

This program has permitted the Court to reduce the time from the filing of the At-Issue Memorandum to trial from 32 months to 24 months. The program also enables the Court to eliminate cases from the Civil Active List that are not ready for trial or that are not actually going to be tried.

### Settlement Conference Program

This program, which became effective January 7, 1974, makes it possible for long cause civil cases to have a settlement conference seven to ten days before the trial date which may result in settlement of the case. Prior to this date settlement conferences were held at the request of a party to the action, usually several months before trial. It is believed that settlement conferences held on a date closer to trial will be more effective because the parties will either have to settle or be ready to proceed with trial very shortly after the conference. All cases estimated to require five or more days for trial are given a mandatory settlement conference date with a view toward settlement of the longer cases which require a greater share of the Court's time. When cases are expected to require less than five days a voluntary settlement conference may be requested. It is believed that more realistic negotiations are possible when the trial date is close at hand.

A further advantage of the Settlement Conference Program is that many cases actually settle at the conferences or reasonably soon afterward. This enables the Court to maintain a more accurate calendar each week and affords the Court the opportunity to set more cases for trial. The Civil Active List will therefore reflect a decrease in the number of cases pending.



## SUPERIOR COURT (continued)

### Common Jury Panel

Since February 1, 1974, Jury panels for both the Municipal and Superior Courts have been summoned by the Superior Court. This combined jury pool is expected to save thousands of dollars for the taxpayers as well as permit better use of jurors who are able to serve either Court. Duplicate procedures have been eliminated and the Municipal Court Jury Commissioner's Office has been eliminated. Other Municipal Court Jury Office employees will be assigned other tasks. Potential jurors will be called less frequently and will be more likely to be used when called. The Jury Pool is a more convenient arrangement for the citizens who are called to serve.

### Re-establishment of Domestic Relations Department

In 1972 the Domestic Relations Department was abolished and Domestic Relations matters were heard by a pool of judges on Fridays. However, it was determined by the judges and the San Francisco Bar Association that the Domestic Relations Department should be re-established. Therefore, in January 1974, the Court took such action and a judge was assigned to the Domestic Relations Department.

### Court Commissioner Appointments

This Committee calls attention to the fact that there are no members from the ethnic minority community serving as appointees of the Court as Court Commissioners or as Assistant Court Commissioners. This Committee is however, happy to note the appointment of women in some of these positions and is hopeful that the ethnic minority community be duly represented at the most feasible opportunity.

During the administrations of the Honorable Joseph Karesh, and the Honorable Clayton W. Horn as Presiding Judges of the Superior Court, accomplishments have been made that command very worthy attention and acclaim.

In conjunction with Municipal Court and with the Bar, there has been a reduction in backlog cases and efforts have been made to expeditiously bring cases to trial. These accomplishments are particularly timely because of the trend nationally, toward the ever-increasing volumes of cases.

Our Courts have met these challenging times in an orderly and efficient manner.

Albert D. Levy

Samuel Martinez

Mrs. Laura G. Williams, Chairman



## DEPARTMENT OF FINANCE AND RECORDS

The Director of Finance and Records, Mr. Virgil L. Elliot, with the approval of the Chief Administrative Officer, has charge of and is responsible for the proper administration of the offices within the Department of Finance and Records. The Director of Finance and Records is also the appointing officer of the personnel in these offices. He has further duties of a staff nature to the Chief Administrative Officer, one of which is the preparation of the San Francisco Revenue Program. The offices which are under the direct control of the Director of Finance and Records are the County Clerk, the Recorder, the Records Center, the Registrar of Voters, the Public Administrator - Public Guardian, the Tax Collector, the Department of Agriculture and Weights and Measures, and the Farmer's Market, which is supervised under the Department of Agriculture and Weights and Measures.

In many cases Mr. Elliot has displayed his ability to supervise the operations under his control in a highly professional and efficient manner and this Committee takes this opportunity to commend him.

This Committee understands the problems and the priorities that are assigned to the needs of the various offices and the process of obtaining the necessary funds. We will not dwell on history or statistics since these are available in the annual report. Any questions regarding the various offices under the control of the Director will appear in the report of that specific office, together with such recommendations that this Committee feels are pertinent.

Previous to the retirement of Mr. Martin Mongan, who served as County Clerk-Recorder, the Offices of County Clerk and Recorder had been combined and the functions of both offices were conducted under the supervision of Mr. Mongan. Since his retirement however, the responsibility for supervising these offices has been divided. Both of these offices have their own responsibilities and are treated separately in this report.

## COUNTY CLERK

There are four offices comprising the County Clerk's office and they are located in widely separated areas of the City. The administrative office of the County Clerk is located in the main office at City Hall. Other offices are located at the Hall of Justice, the Youth Guidance Center, and the San Francisco General Hospital. The 1972 Grand Jury explored the County Clerk's office in depth and brought to light the problems. That Grand Jury requested that an audit be



COUNTY CLERK (Continued)

made. Their recommendations for this office including additional staff of a more qualified nature, more space, and a single building or building area, concerned the City Hall office only. This Grand Jury can readily see the reasons for such recommendations. The branch offices serve their purpose well because of their location, since the files, briefs, and records are on the scene and are readily available.

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This Committee has reviewed the matter of security in this office relative to the control of these valuable documents, and the method of check-out. We concur with the view of the 1972 Grand Jury in this respect, that security should be tightened thus avoiding the time loss and inconvenience of locating misplaced or missing folders or documents. The Acting County Clerk, Robert Hare, has instituted a system for checking out files which it is hoped will improve the situation concerning missing files. It has also been noted by the Committee that a replacement has been requested for the County Clerk's cash register which has been the subject of recommendations by past Grand Juries. This cash register is undergoing constant repairs and should be replaced.

Pressure was brought to bear for reorganization of the County Clerk's office and as of this writing, many significant changes have been made in which some space has been gained. A study and reorganization was directed by the Chief Administrative Officer, which should produce some operational improvements. Funds have recently been made available by the Board of Supervisors for reconstruction of the County Clerk's City Hall office which should provide more usable space



COUNTY CLERK (Continued)

as well as better security for the records and files maintained there.

In the recent audit certain recommendations were made and the response to this audit covered about 50% of the recommendations with an effort to eliminate the problems brought to light by the audit. The use of Data Processing for the indices in criminal cases has been a great advantage, but there are still many handwritten indices that it may never be feasible to change.

This Committee commends Mr. Martin Mongan, recently retired, for his ability to keep even with the problems of work flow through his office in view of the space problems over which he had no control, and the usual lack of attention to budgetary requests by the Board of Supervisors for the requirements of this office.

RECORDER

The Recorder's Office, as required by law, receives for recording all papers or notices that may be legally recorded, makes and keeps a true copy of the original, indexes the same, and arranges the books of records and indices in a suitable and available place to facilitate their inspection. Among these papers or documents are Affidavits of Death, Agreements, Decrees, Deeds, Deeds of Trust or Mortgages, Abstracts of Judgements, Military Discharges, Uniform Commission Code Filings, Notices of Default, Reconveyances, Federal and State Tax Liens, and other miscellaneous documents. As of January 1, 1968, the Recorder's Office assumed the duties of collecting the Real Property Transfer Tax imposed upon transfers of real property in San Francisco by Ordinance 315-67. Receipts from this tax amounted to \$611,294 for the 1971-72 fiscal year and increased to \$709,445.95 for the 1972-73 fiscal year. There was an excess of revenue over expenditures in this office for the 1971-72 fiscal year of \$652,727.45. The figure for excess of revenue over expenditures for the 1972-73 fiscal year increased to \$868,857.49. In addition, approximately \$19,000 worth of free services were rendered to veterans dependants of war veterans, compensation and pension claims, old age pension claims, Federal and State requests, as well as to other departments of the City.

Due to recent State Legislation, the Recorder is now permitted to combine the Grantor-Grantee Index in strict alphabetical order in place of the dual system used before. This new system lends itself to computer indexing.

During fiscal year 1972-73 the Recorder's office filed and recorded 95,078 documents, an increase of 1,666 over fiscal year 1971-72.

Many procedural changes are being studied to reorganize and



RECORDER - Continued)

rearrange the office for the more efficient operation of the three sections of the Recorder's Office. When these changes have been made, the pressure for more space may be relieved.

It is therefore the recommendation of this Committee that:

1. A secure system for filing and retrieval be initiated, with tighter controls for documents out for study.
2. That funds for the completion of and necessary equipment for the new system be allotted.
3. That the check protector referred to in the last Grand Jury report and in the audit be obtained at the earliest possible date.
4. That unused warrants and signature stamps be kept under tighter security and that signatures be manual.
5. That the cash register be replaced immediately and the method of tallying tags be reassessed along with the cash allowance for the two funds.
6. That micro-filming be used to the utmost in an effort to gain additional space.

TAX COLLECTOR

The Tax Collector's Office is responsible for the collection of Real Property Taxes, Secured Personal Property Taxes, Unsecured Personal Property Taxes, Uniform Sales and Purchase Taxes, Parking Meters, Licenses, Business Taxes and other miscellaneous fees and taxes. The 1971 Grand Jury mentioned the lack of storage space which still continues to present a problem to an even greater degree due to the added areas of collection. This will assume even greater proportions as the various ordinances are implemented. Mention was also made of the establishment of a research section and the necessary personnel to perform documentary, statistical and editorial tasks, as well as the establishment of a senior staff legal position to devote time primarily to business taxes and to give legal interpretations to the various ordinances within the jurisdiction of the Tax Collector's Office.

The Tax Collector's Office operates under a set of laws and ordinances and as a result is not subject to changes other than in the operational procedures within the structure of the office. This office enjoys a very high reputation among the Tax Collector's offices of other counties and is considered a model for other offices. This is a result of the attitude and the methods by which the Tax Collector, Mr. Thad Brown, meets the problems of his office head-on.



TAX COLLECTOR (Continued)

and resolves these problems with dispatch.

During the 1972-73 taxable year, this office collected \$374,796,022.93 plus another \$659,069.23 that was credited to this office by other departments that actually collected this amount. The Board of Supervisors transferred the Tax Redemption functions from the Controller's Office to the Tax Collector's Office as of July 1, 1972. This unit was responsible for \$3,721,537.98 of the total amount collected. Along with the responsibility of administering the Redemption Office came two positions that were formerly assigned to the Controller's Office. Since Tax Redemption has been historically located in this office, there was no need for the creation of additional space.

In other areas, the Business Tax Division, the Licensing Division, and the Cashiering Division all have been relocated and made physically operational and are now functioning efficiently. This relocation was part of a three year program, and there are still three major projects to be completed. They are the installation of acoustical ceilings in the central office, repairing the flooring in the central office, and installing adequate lighting in the front office. The latter presents a health hazard and also affords an opportunity for the transposition of numbers.

During the 1972-73 fiscal year, the Cashier's Division collected \$375,455,092.16 an all time high for the nineteenth consecutive year. Peak periods for tax collection vary from March 1 to September 15 for Unsecured Personal Property Taxes, November 1 to December 31, and again from March 1 to April 10, for Real Property Taxes. Peak periods for License collections were in January and October with the Business Taxes collected January through June.

The Parking Meter Division collected from the approximately 14,300 meters in the City at the rate of about 4,766 meters per day. This collection is accomplished with nine men in four panel trucks, while five men in the office process the coins. Of the 49,101,029 coins handled during the fiscal year 1972-73, 32,415,476 (66%) were pennies, 9,907,470 (20%) were nickels and 6,778,083 (14%) were dimes. The total weight of coins processed during the year was 365,125 pounds. During the same period, 700 pounds of mutilated coins, plugs can rings, and foreign coins were processed. Canadian and other foreign coins were redeemed for \$900.46. The total revenue received from the parking meters was \$1,498,237.02. The increase in weight and revenue is attributed in part to better enforcement of parking meter violations by the Police Department. There was an increase in revenue of \$66,000.00. The 1972-73 year was the third highest revenue year, being surpassed only by 1964-65 and 1965-66, both of which had more collection days. With regard to the Parking Meter Division, this Committee has arrived at certain conclusions concerning the revenue from these meters and the collectors for this division. During the revenue year over 50,000 meters were repaired and



TAX COLLECTOR (Continued)

the number of inoperative meters that were reported represents a very small portion of the total that were repaired. Since each collector collects meters at the ratio of one collector to one thousand meters, and at the same time winds the springs in the meters this does not give the collector enough time to actually check the meter. The Committee feels that a ratio of one collector to eight hundred meters would afford the time and as a result the meters would be repaired sooner and become revenue producing. Other minor problems associated with this program have been resolved.

The turnover in staffing has been resolved with the voters mandating the permanency of the Gross Receipts Tax. The temporary classification of personnel has been changed to permanent and as a result, applicants will not bypass these jobs for more permanent ones. This will provide better personnel for the office. In the 1973 audit of the Tax Collector's Office made by the audit firm of Main Lafrentz & Co., mention was made of the separation of the Teller Fund and the Revolving Fund from the process of commingling that has been the practice. This Committee concurs with the recommendation that these funds be separate and that all increase be authorized in writing. It was further mentioned that during the last fifteen days of June the cashier accepts money orders or certified checks only for the payment of property taxes, and that the Bureau of Delinquent Revenue postdates all fee tags and holds back the cash receipts during the last several days of June. Again this Committee concurs with the recommendation that these practices be eliminated as they are in violation of the City Charter.

It is noted that salaries have increased from \$1,103,341 for 124 employees in the 1971-72 fiscal year to \$1,241,712 for 127 employees in the 1972-73 fiscal year and the projected cost for the 1973-74 fiscal year was increased to \$1,484,745 for 145 employees. Eighteen more positions were requested, one of which would be Chief of Technical Services, with the duties of liaison between the Tax Collector and Data Processing. Three other positions would be utilized for the Parking Meter Program, with one as a field supervisor for the collectors, which would improve security and aid in the collection of the meters. The other two positions would be meter collectors, which are necessary due to the installation of new type meters, which require more time to collect. This Committee can readily understand the need so that the collection ratio may be reduced from 1 to 1000 to 1 to 800, thus giving the collectors more time to assess the condition of the meters. The remaining additional staff would be used for the Business Tax Division and are necessary to carry out the duties of that office.

We have received correspondence concerning the Business and Payroll Taxes to the effect that perimeter companies have been bidding in San Francisco both on private jobs and City associated jobs against San Francisco based companies which have to include the Business and Payroll Tax percentage in their bids and as a result



TAX COLLECTOR (Continued)

are losing jobs. Necessary machinery should be instituted that will guarantee that payrolls earned in San Francisco will be taxed on the same basis as San Francisco based companies thus removing this inequity. This is made amply clear in the collections from the Payroll Tax of \$17,425,122.65 for the 1971-72 fiscal year and \$20,588,021.36 for the 1972-73 fiscal year. Even percentage-wise this would represent a much lower payroll than there actually is in San Francisco.

On the whole, this office is run very efficiently and we commend the Tax Collector, Thad Brown, and his staff for their efficiency and the technical services that his office renders to the citizens of San Francisco.

This Committee makes the following recommendations:

1. That the three major projects uncompleted at this time be completed at the earliest possible time. The acoustical ceiling, the floors in the office and the lighting that is so necessary for the front office to avoid the health hazard and to avoid the chance of transposition of figures.
2. That the parking meter collectors make a greater effort to determine the inoperative meters and report same to the Department of Electricity for repairs.
3. That some means be explored to insure that all permits issued for jobs in San Francisco bear some kind of a tax number to control the perimeter payroll.
4. That micro-filming be increased to create more space.
5. That additional personnel be acquired to meet the needs of the programs.
6. That the recommendations as listed in the report of the audit be implemented.

Thomas D. Harvey

Lawrence M. Berrios, Chairman



RECORDS CENTFR

Pursuant to ordinance the Records Center was established to provide record storage for the 58 departments of the City and County government.

By nature, a records center is a warehouse for the storage of records, files and racks to contain these files. It must also have an index system, an area for perusal, temperature control, fire-protection, security against theft, and it must be arranged so that records are immediately available.

The Records Center in San Francisco occupies part of the second and part of the third floors of 144 Townsend Street, which are shared jointly with the Lynch and Company Furniture Warehouse. The offices and research area are on the second floor together with the Lynch and Company offices and the rear is devoted to record storage. The third floor has the same arrangement with a six foot plywood partition separating record storage from the furniture storage. In addition, records with low frequency requests are stored in the car barn at Geary and Masonic Streets. Micro-film rolls are stored in the film vault under the Forest Hill Station in the Twin Peaks Tunnel.

The Records Center is staffed with one superintendent and three other employees. The Superintendent, Mrs. Elizabeth Avery, though not having been there too long, has familiarized herself with the operation and is more often seen doubling as a clerk in order to process the work load.

Some 32,774 cubic feet of records are stored at the Townsend facility and 1,537 cubic feet of records are stored at the Geary-Masonic facility. There are 7,472 rolls of micro-film stored in the film vault. In fiscal year 1972-73, there were 1,507 cubic feet of records received at the Center for storage. The Center was given permission to destroy 1,993 cubic feet of records. As space is made in this manner, records are brought to Townsend Street from the car barn.

The following shows the amount of activity, in retrieving records from storage which actually consumes about ten minutes per item:

	<u>Number</u>	<u>% per cubic foot of storage</u>
Townsend Street:		
Visitors perusals	1,327	4
Information over Phone	1,194	3
Delivery to and from City Hall	11,184	33
Interfiling of loose documents	<u>14,129</u>	40
	27,834	80



RECORDS CENTER (Continued)

References to the County Clerk's records amounted to 22,508 documents or about 80% of total references for all departments. When these figures are related to the time consumed to process each item, it must be remembered that the item must again be replaced. Therefore, the time is actually doubled. This is some 9,278.2 hours for this single phase alone. This figure divided by four, or the number of employees, gives a figure of 2,319.5 applied hours per employee, which in itself commends their efforts considering the fact that there are only 2,080 workable hours in a year. This does not take into consideration, the amount of time spent in obtaining or collecting records from other offices for cataloging and storage.

If the figure of 22,508 documents collected from the County Clerk is considered, it alone represents some 60 cubic feet of records that had to be obtained by means of public transportation with the attendant loss of time. It is readily apparent that means of obtaining and delivering these records other than the use of public transportation are a necessity.

An examination of the facility at 144 Townsend Street shows the pressing need for space, maintenance, repairs, and proper fire protection. The leaks in the roof referred to in the past two Grand Jury reports have not been repaired and the floor is marked to show where the water falls. The files are covered with plastic sheets to protect them from the water. The windows in the back of the building are broken and allow the weather and dampness to pervade the storage area and the single heater is not large enough to cope with the elements. The fire extinguishers on the floor by the record storage racks are of the soda and acid type which would do more damage if used than perhaps a fire would. There is a rest room for the use of the employees of both the Records Center and Lynch and Company. There are no other means of obtaining drinking water except from the tap on the wash stand in the rest room. Security in the facility is practically nil as access may be gained from the stairway from the outside with ease and the six foot plywood partition offers little challenge to scaling.

Since this department is non-revenue producing, it enjoys little status in the budget priority.

We therefore make the following recommendations:

1. Since the City and County is paying rent for the space in the Lynch and Company Warehouse, the problems of maintenance are the problems of Lynch and Company and we suggest that the City Attorney should seek means to see that these needed repairs are made.

2. That security be improved and the fire extinguishers be changed to the dry chemical or CO<sub>2</sub> type.

3. That appropriate transportation be assigned to the Records Center.



RECORDS CENTER (Continued)

4. The use of micro-film should be explored to a greater degree to give the added space needed.

5. That Alhambra or another similar company be used to supply water for drinking purposes.

6. That an area other than the Twin Peaks Tunnel Vault be considered for film storage in view of the fine dust and dampness that is always present in the immediate vault area.

7. That all micro-film that is on cellulose type film be transferred to acetate type film that does not become brittle, fade or deteriorate with age.

8. That the staffing be reassessed to consider the possible addition of another clerk.

A question as to the value placed on these records and documents is raised by the fact that as important as these documents are, the means of preserving them are much less than their value and the ordinance demands.

PUBLIC ADMINISTRATOR AND PUBLIC GUARDIAN

PUBLIC ADMINISTRATOR:

The duties of the Public Administrator as both a conservator and administrator of the estates of deceased persons are set forth in Section 1140 of the Probate Code. The Public Administrator of each county must take immediate charge of the property within his county of persons who have died with no executor or administrator appointed and in consequence thereof the property or any part thereof, is being wasted, uncared for, or lost. He shall apply for letters of administration for estates of decedents who have no known heirs when the Superior Court of his county has jurisdiction and may apply for letters upon any other estate which he is entitled to administer. The primary objective of this activity is to complete the administration of estates in the shortest possible time thus benefiting the heirs, satisfying the creditors and turning over to the City Treasury, all commissions and fees that are allowable for these services.

There are seven basic steps in the administration of a probate estate: Investigation, Administrative, Legal, Accounting, Taxation, Stenographic, and Clerical. Included in these steps are making the funeral arrangements, letters of application for administration, collection of all assets, payment of all legal debts, preservation and custody management and sale of real and personal property, filing and defending of court suits, preparing all necessary tax returns and obtaining all county, state, and federal tax clearances.



## PUBLIC ADMINISTRATOR (Continued)

Since all activities are statutory, there are no priorities. The following State Codes govern the Public Administrator: Probate, Taxation & Revenue, Civil, Civil Procedure, Health and Safety, Government, and certain sections of other Codes. The Internal Revenue Code sets forth the requirements for the filing of all individual fiduciary and estate tax returns.

## PUBLIC GUARDIAN:

The Public Guardian is a public officer who when needed, serves as guardian of the person and estate of persons who are unable to care for themselves, and to act on behalf of the ward at all times. He must assure that the welfare and the well being of the incompetent are provided for adequately and must protect, conserve and efficiently manage all assets which the ward is entitled to, for the ward's benefit. The Public Guardian is necessary because there are so many aged people, alcoholics and other people who are incompetent and who have no one else to care for them. In the past, many people have been bilked and have become a burden to the taxpayer. The Public Guardian's Office has been successful in recovering assets through court proceedings thus removing some wards from the rolls and returning them to private living.

The basic steps in a Guardianship are: Referral for guardianship by any of the various hospitals, doctors, social services, Veteran's Administration, geriatrics, etc.: Investigation; Administrative; Legal; Accounting; Stenographic; Clerical; Supervision of the ward's life and activities; and Tax returns when required. Included are a complete investigation to determine if referral is proper, the care, custody and supervision of the person and management of his estate, filing applications of letters of guardianship, placement in a proper living facility, collection of all assets, payment of all legal debts and obligations, management and sale of real or personal property, filing and defending court suits, filing personal income tax returns, filing the required account with the Superior Court, making of funeral arrangements, distribution of assets to legal representative.

## Comparison of Activities of Public Administrator - Public Guardian

Since a comparison of the duties of both the Public Administrator and the Public Guardian show much the same basic steps, it is in the best interests of the public that the offices operate as they have under one head. An evaluation of the employees' duties shows their time is equally divided between the operations of the Public Administrator and the Public Guardian. The office of Public Administrator - Public Guardian, under the able leadership of Mr. Con Shea, has reached a high point of efficiency and with the use of forms, has cut down the classification and investigative time by the movement of these forms to the various persons who will be involved with a case. A



COMPARISON OF ACTIVITIES:

comparison of the basic steps is as follows:

Public Administrator

1. Funeral arrangements
2. Application for Letters of Administration
3. Collection of all assets.
4. Payment of all legal debts.
5. Preservation, custody, management, sale of real and personal property.
6. Filing and defending court suits.
7. Filing of tax returns.
8. Distribution to heirs and State.

Public Guardian

1. Funeral arrangements
2. Application for Letters of Guardianship.
3. Inventory of all assets.
4. Payment of all legal debts.
5. Custody, supervision of person, management of estate, sale of real and personal property.
6. Filing and defending court suits.
7. Filing of tax returns.
8. Distribution to heirs or legal representative.
9. Determination of referral.
10. Filing accounts with Superior Court.
11. Placement in living facility.

It can be seen that many of the duties are easily coordinated in the operation of the office and full advantage has been taken of this fact.

Again by comparison, there has been an increase in the amount of the workload of the Public Administrator in the form of estates investigated, opened, final accounts, and open estates. On the other hand regarding the Public Guardian, there has been a very small decrease. One tends to equalize the other in the basic workload of the office. This is despite the fact that more applications were made to the Public Guardian in the latter part of the year. There is, however, one very pertinent point in the operation of the office with regard to the Public Guardian. Even a very small increase in the workload will be reflected in the basic stages of the procedures that are required. The operation of the Public Guardian's office is neither seasonal nor cyclical and any increase creates a backlog. It can easily be understood that with the necessary steps, added staffing is required. If there appeared to be outside pressures



COMPARISON OF ACTIVITIES (Continued)

to complete the guardianship at a faster pace than is normal, further requests for more staffing would be the only solution. This is further compounded in both the Public Administrator's and the Public Guardian's duties by legislation in the past seven years that has removed the \$5,000 limit for eligibility.

The office is staffed with one Public Administrator-Public Guardian, two assistant bureau chiefs, three clerk typists, one senior clerk typist, one clerk-stenographer, one senior clerk-stenographer, four legal stenographers, two senior legal stenographers, two accounting machine operators, two accountants, one senior accountant, one social worker, two estate investigators, one estate tax secretary, three senior attorneys, and one attorney for the Public Administrator. This makes a total of 28. Each divides his time equally between the duties of Public Administrator and Public Guardian, with the exception of the senior attorney for the Public Administrator. The total cost for this staff is \$105,878 of which \$60, 512.09 is requested for the Public Administrator and \$45, 365.91 for the Public Guardian. The total amount of revenue for the 1972-73 fiscal year amounted to \$387,782. This revenue is due to fees which are awarded and allowable under the law. This office is then self sufficient and the amount over and above the costs goes to the City Treasury.

The last two Grand Juries have recommended legislation that would prevent personal estate transactions between Public Administrators of various counties. The 1971 Grand Jury Report cited a case where a Public Administrator was indicted concerning the sale of estates. Since there was no known law that would prevent one Public Administrator or Public Guardian from having personal estate transactions with a Public Administrator or Public Guardian from another county no action was taken against Mr. Shea. This is again referred to in the 1972 Grand Jury report. In discussing this matter with Mr. Shea, he informed us that he feels that a semi-annual audit should be made to eliminate any problems involved in the sale of property, and the operation of the office.

Therefore, this Grand Jury commends Mr. Con Shea for the efficient job that he has done and makes the following recommendations:

1. That legislation be sought, if not a fact at this time, to eliminate the concern that could arise from personal estate transactions between one Public Administrator or Public Guardian and the Public Administrator or Public Guardian from another county.
2. That when the workload becomes great enough to warrant that temporary help be utilized to assist in the performance of the duties of this office.
3. That semi-annual audits be made by an independent firm.



## REGISTRAR OF VOTERS

The office of the Registrar of Voters is an enigma to the normal view. During the major portion of the year; it appears to be, on the surface, an office with little activity, and perhaps that is why the priorities granted to it budget-wise enjoy the position they do. The Registrar of Voters is responsible for the conduct of elections, registration of voters, processing of affidavits for candidates, processing of affidavits for propositions to be presented, the storage and upkeep of voting equipment, including repairs to the equipment. He must also work with City and County, State and Federal authorities, political parties, and other groups on policy matters, as well as provide other services required by legislation. This work has been increased in the past few years with the enactment of legislation lowering the voting age to 18 years of age, the enactment of the Disclosure Act, and the reduction of residency requirements to thirty days. There are a multitude of duties that do not meet the eye, for example, warehousing, repairs, election tally kits, contracts for the precincts, arrangements for the training of election officials, proofing of pro and con arguments, publishing of the pamphlet, transportation requests for the movement of the voting machines to the precincts, press relations, set ups for the various types of machines, processing and filing of the required forms under the Disclosure Act, which amount to four copies for each proposition to be filed, three copies for the candidates in primary and general elections, plus one at the end of the year. To assist in these interim duties, there is the Registrar of Voters, Mr. Emmery Mihaly, who has been in office, the Assistant Registrar of Voters, Mr. Frank Quinn, who acts as office manager, and a permanent staff of twenty-two.

During the period of one month before an election and for two weeks after an election, forty temporary voting machine mechanics are employed to repair and prepare the voting machines. To assist in the pre-election mailing period another 125 temporary employees are hired and are kept on for the period of certification which is up to two weeks after election day. During the actual election, there are another 4,000 to 4,100 other employees including precinct officials. All this extra help amounts to 69 full time jobs hour-wise. The 1971 and the 1972 grand juries both recommended that more space be provided for the use of this office, and that the voting machines be replaced. After our investigation of this operation, we can readily agree.

The Registrar and the Assistant Registrar work through a small central office group and control operations through the three supervisors of the three operating divisions. The duties of the Administrative Division, directly supervised by the Registrar and the Assistant Registrar, are to furnish services used by the three operating divisions such as personnel, accounts, budget, complaints, materials and supplies, equipment, sale of documents, public information, press liaison, printed materials, correspondence, and central files. The filing capacity has had to be increased due to the fact that before the Disclosure Act, documents relating to candidates had to be retained for only four years.



REGISTRAR OF VOTERS (Continued)

Now they have to be retained indefinitely. This will necessitate more files in an already crowded office and in all probability, more help. The First division is the Election Division under the supervision of Mr. Hugh Maguire, which is responsible for registration, affidavit processing, absentee ballot processing and mailing. The second division is the Recruitment and Property Contract Section which is responsible for all contractual matters and the recruiting of officials and precinct locations. The third division is the Voting Machine Warehouse and Operations Division under the supervision of Mr. James Grady.

A plan for the reorganization of the Registrar's office has been submitted and if approved in its entirety will eliminate many of the chain of command problems which are apparent when the extra employees are hired and the preliminary work is being done and each of the permanent employees must supervise groups of temporary employees. This will however have no effect in the upper echelon and serious consideration should be given to this fact. Mr. Mihaly, the Registrar, will retire shortly and Mr. Maguire will retire in about two years and Mr. Quinn in about four years. Many experienced employees have left the office due to promotions.

The full scope of the workload will not appear here as it is available in the budget explanations. The exception will be the voting machines, and this is prefaced by the following facts. It may be pointed out that the election of November 7, 1973, was carried out with the utmost efficiency in spite of some obstacles such as the problem of a nonunion firm moving the machines and the resultant refusal of about 100 precinct officials to officiate, as well as the requested removal of machines to other locations, and the further damage, which together with the cost of replacing one precinct with another added another \$5,000. to the cost of the election. This in no way was the fault of the Registrar. This Committee visited the precincts and attended the check-in and tabulation of the votes at the Registrar's office and further observed the machine calculations and the problems that developed there. It must be considered that 426,388 voters were registered, which is the highest amount since 1952. 317,717 votes were cast with expenditures amounting to \$872,820. This gives a cost of \$2.05 per registered voter and a cost of \$2.75 per vote cast.

Many of the problems were due to the voting machines themselves. 1,660 voting machines were prepared for the election to provide two machines to each precinct. During other periods, 200 voting machines were leased to outside groups, and 50 voting machines were used in school elections. San Francisco has 1,676 voting machines now in use of which 1,300 were purchased in the 1920's. Parts for some of the machines are no longer available and have to be hand made in order to keep the machines repaired. These machines deteriorate even with storage. Many were damaged during transportation to the polling places. Approximately 1300 of the machines on hand are in wooden boxes and have to be removed at the polling places prior to use and re-boxed prior to return to the warehouse and again have to be removed for the



REGISTRAR OF VOTERS (Continued)

official canvass of votes. 150 of the earliest models purchased from Los Angeles are misfits by reason of the amount of levers numbering 60 on the horizontal plain as opposed to the others with 50 such levers. Since each lever space is numbered, separate tally books must be printed for these machines. These machines have additional negative points, one of which is the manual transfer of vote tallies from the machine to the tally book at the close of the polls. This tally book is then deposited at the Registrar's office where it is processed by having the tally sheet transferred to IBM cards and then processed through the machine. We observed many machine kick outs during the count because the numbers transferred to the tally sheets by the precinct board were the precinct numbers and in some cases the machine numbers. This caused another separate crew to be engaged to recheck these tally books. In many cases the poor lighting along with fatigue caused the transposition of numbers. The cost of replacing these machines has been stated at 3.5 million dollars. A plan was offered where the cost could be borne over a twelve year period. The plan has other merits inasmuch as the first year, 1,500 printomatic machines could be purchased for \$325,000, including freight and trade in allowances. Over a period of twelve years this would amount to a cost of \$1.00 per voter per year.

This Committee was impressed with the efficiency of the operation of the central office during the election when it was overrun by not only the candidates, but the press and security and the data processing operators. It speaks well for the Registrar, Mr. Mihaly, and the Assistant Registrar, Mr. Quinn, as well as for the efforts of Mr. Maguire and Mr. Grady and they are commended for the efficiency with which their staff and aides supervised the temporary help without any unnecessary problems. Therefore, this Committee makes the following recommendations:

1. That new voting machines of the printomatic type be purchased. These machines automatically give the printed results and do not require the canvass which takes two weeks and costs about \$7,000.
2. That facilities be made available for the training of the officials and judges, thus eliminating problems that will exist without this training, and further saving the cost of the back up check teams.
3. That an adequate line of succession be established to insure a proper chain of command.
4. That modernization of the central office be continued in regards to needed lighting, furniture and other office equipment including the purchase of a letter opener.
5. That the needed equipment and personnel be obtained to comply with the Disclosure Act.



## DEPARTMENT OF AGRICULTURE AND WEIGHTS & MEASURES

The Department of Agriculture and the office of the Sealer of Weights and Measures were merged by action of the Board of Supervisors in December 1972, with Mr. Raymond L. Bozzini the Commissioner of Agriculture, assuming the duties of Sealer of Weights and Measures. The offices of this department are located at 800 Phelps Street. As a result of this consolidation, one position of Senior Clerk Typist was dropped to Clerk-Typist.

### DEPARTMENT OF AGRICULTURE

The Department of Agriculture is responsible for the enforcement of all State laws, rules and regulations pertaining to agriculture, the promotion and protection of the agricultural industry, and the enforcement of the provisions of the Agricultural Code. It also has the responsibility to promote and protect the welfare of the citizens.

The duties of this department are to inspect fruits, vegetables, eggs, nuts and honey, to provide for the standardization of products, to inspect floral nurseries of which there are 505,345 square feet of glass house nurseries with a value of \$646,440. It also inspects seed firms, apiaries, the two farms in the City and County of San Francisco that grow vegetables. This department provides home owners with advice in the pest control of their landscaping, sets traps for pests, and inspects post offices, and express and freight terminals to enforce the quarantine requirements, issues certificates for the good condition and health of products being exported to foreign locations, and certifies this condition.

The department is staffed with one Agricultural Commissioner whose classification was changed at the consolidation to Agricultural Commissioner and Sealer of Weights and Measures, one Deputy Commissioner, six inspectors, and one Senior Clerk-Typist Steno.

The department has only the following sources of obtaining revenue: Augmentation of the Commissioner's salary by the State of California, certification fees for exports permits, unclaimed Agricultural gas tax, shell egg enforcement and fifty percent of pesticide permits. These revenues amounted to \$24,846. during the 1972-73 fiscal year. The net budget for the last fiscal year was \$122,569. This figure divided by the population figures gives us a surprisingly low figure of eighteen cents per year per capita or one and one half cents per month per capita for consumer protection. This Committee cannot help but note that this is probably the only area where the citizen receives such a great value in the form of services rendered for such a low cost.

The equipment in use consists mostly of testing devices that appear to be adequate at this time, but this Committee would not hesitate to recommend additional equipment if such equipment is deemed to be needed. The inspectors use their own cars for transportation and are



DEPARTMENT OF AGRICULTURE (Continued)

reimbursed at the figure of ten cents per mile. In this area, both the 1971 and the 1972 Grand Juries made no recommendations.

This Committee notes that the Commissioner has utilized a storage area for a conference room and has furnished this room from his home with the help of his wife, Mrs. Bernice Bozzini, to facilitate the business that is required to be conducted at this office.

The committee takes special note of the able direction of the Commissioner, Mr. Raymond L. Bozzini, and his assistants for the efficiency with which this department is operated, evidenced by visual inspection and one set of facts that more than anything illustrates the efficiency as well as the work load of this department. During fiscal year, 1971-72, some 25,948,681 packages were inspected in 30,363 different premises. This represents quite a work load when the available work hours are tabulated. There are 2,080 work hours in the work year less 80 hours for vacations, assuming that each person takes two weeks of vacation, less another 80 hours for holidays, leaves a balance of 1,920 possible work hours, provided that no further time is taken off for illness or personal business. This figure of 1,920 hours multiplied by seven inspectors gives a total of 13,440 hours. It would appear that each inspector visited two and one-third premises every day and inspected 1,931 packages. During these inspections, rejection slips for 150,630 items were issued and 1,221 disposal orders were issued. Included in these figures are 1,095,140 dozens of eggs, of which 131,377 dozens were rejected. Also included in these hours are 856 1/2 hours consumed in pest control surveys, and 147 hours consumed in seed inspections and control, as well as the time involved in follow-up and paper work.

This Committee makes the following recommendations:

1. That one or more positions of inspector be added to assist in the operations of this office.
2. That means or legislation be considered that would give a fee status for the services rendered, where feasible.

SEALER OF WEIGHTS AND MEASURES

The Sealer of Weights and Measures of the City and County of San Francisco is charged with the enforcement of the laws and specifications as prescribed in the Business and Professions Code of the State of California and Title 4, Chapter 8, of the California Administrative Code.

The functions of the Sealer of Weights and Measures are to ascertain the accuracy of commercially used weighing and measuring devices at the wholesale and retail levels, the conformity of petroleum products to State specifications and to quantity control to insure that the consumer receives true value of weight and measure in packaging by



## SEALER OF WEIGHTS AND MEASURES (Continued)

requiring that all statements of quantity and measure on packaged goods be accurate, easily found and understandable with fair packaging and labeling practices.

The office of the Sealer of Weights and Measures at 800 Phelps Street is more than adequate compared with the former quarters which past Grand Juries have mentioned. This office is staffed with the Sealer of Weights and Measures, Mr. Raymond L. Bozzini, one senior inspector, six inspectors, and one clerk-typist. One of the inspectors was seen doubling as clerk during this period to assist in the work load. This office is short two positions of Inspector and this shortage causes a backlog of work. A test has been announced and there are four applicants for the positions. This position requires a state certificate which limits the number of candidates. Candidates must be sought elsewhere and the pay does not warrant the requirement of San Francisco residence within a year of appointment. Staffing was further affected when two inspectors suffered hernia injuries which caused them to be absent for some three months.

When the full picture of the functions of this office is viewed, it readily becomes apparent that more staffing is needed. All scales including railway track, monorail, counter, spring, computing, platform, prescription, vehicle, hopper and tank, and dormant are inspected. One can see the volume by simply viewing the check out desks at any supermarket or store and count the scales there.

During fiscal year 1972-73, some 8,373 weights were checked to determine the accuracy of the scales. In addition, measuring devices such as retail gas pumps, grease (oil) meters, yardage meters, wholesale meters, taximeters, liquid measures, liquified gas meters (LPG) and other such devices required 7,161 1/2 man hours. Package inspection included 1,959 lots of which 127 lots were rejected, the total packages acted upon amounted to 241,006 of which 15,877 were rejected. In preliminary audit inspections, of which 178 were made, 335,616 packages were accepted and some 3,256 packages were voluntarily taken off sale or repacked. Total packages inspected and audited amounted to 579,881. In quality control, one undercover purchase was made and 95 off sale orders were issued, 59 complaints were processed which consumed another 1,590 1/2 man hours. In the weighmaster Division, 77 inspections were made along with 5 investigations and ten other calls related to this operation. In addition, 60 orders to conform were issued consuming an additional 118 man hours. In the Petroleum Division, 2 registration inspections were made, 92 advertising signs were corrected, 18 orders to conform were issued and 84 other actions for inspection and enforcement were carried out consuming 74 man hours. When the total man hours consumed in these operations are added together we have 8,944 man hours consumed in the operations. This figure divided by the seven inspectors gives us 1,279 2/3 hours each or five hours each of the 253 possible work days assuming that there is no time off for sickness and that each inspector only takes two weeks vacation and eight holidays off.



## SEALER OF WEIGHTS AND MEASURES (Continued)

There are 800 taxi permits allowed on the street at one time. These taxis, including the stand-by cabs, total well in excess of 1,000 taxi meters that must be checked whenever there is a raise in fares, and at least once a year. To test a taxi meter takes about one hour and fifteen minutes of actual testing, provided that the streets are dry and the traffic conditions will allow. With the use of a simulator, which is a device that will simulate any distance and is used in other counties the time consumed can be reduced by half. It has additional value in that the cabs come to one location for the test, which can be conducted in all types of weather.

Another function of the office is to check electrical sub-meters which by law are required to be checked once every ten years. These total well over 15,000 and this office does not possess the equipment or the trained personnel to make these checks. Requests for personnel and equipment have been made for several years by the Sealer, but have been deleted from the budget, passing this operation to the State which cannot give it attention for approximately the same reasons, which leaves these meters uninspected.

Most of the other testing devices are adequate but are in pressing need of upkeep. This Committee has viewed their use on several occasions and has noted that transporting the necessary equipment and weights from the Scout trucks to the test site leaves a lot to be desired and has resulted in hernia injuries to two inspectors. It was further noted that the Scouts are carrying more weight than they are powered for, being four cylinder vehicles and of small design, which makes negotiating the hills of this City difficult.

The vehicles used for transportation by this office consist of six International Scouts which are small wheel base cars and designed for light loads. They carry 1,000 lbs of testing equipment in addition to their own weight. There is a G.M.C. heavy duty truck which carries 21,000 lbs including its own weight and there are two passenger vehicles. One was just replaced and consumed \$2,300. of the budget. The other is a 1965 Ford with 50,000 miles of use on it. The upkeep for the two cars amounted to \$106.00 for the last year. Two of the Scouts are always in the shop for maintenance or repairs. They are underpowered for their use.

The budget requested for this department was \$137,000. and \$114,000. was actually allotted, of which \$88,000. went for wages and another \$17,000. for fringe benefits, which left \$9,000. for all other needs including the \$2,300. which was used to replace one car. This figure divided by the D.O.L. population figure give a final low figure of two cents per day per capita for this service and again reflects the operational efficiency of the department.



SEALER OF WEIGHTS AND MEASURES (Continued)

This Committee makes the following recommendations:

1. Purchase and install a Simulator for testing taxi meters.
2. Fill the open staff positions and add one more for the sub-electric meters together with the necessary testing equipment.
3. Study some form of fees for service with necessary legislation.
4. Replace the Scouts and equip trucks with power tail gates to avoid injuries to the inspectors when moving the heavy equipment and weights off of and onto the trucks.



## FARMERS' MARKET

The San Francisco Farmers' Market was opened on August 12, at Duboce and Market Streets as an outlet for surplus crops from the neighboring counties. The City and County assumed management on August 1, 1944. The Farmers' Market moved to its present address at 100 Alemany Boulevard on August 3, 1947, under a City ordinance which authorizes the Chief Administrative Officer to establish a Farmers' Market and to maintain the same and direct the operation of said market for the sale of surplus fresh fruits, vegetables, dried fruits, honey and nuts by the growers and producers thereof in the State of California. Said market shall be known as the Farmers' Market and its operations and maintenance shall be financed by fees charged to the producers who use the facilities and by other funds as may be appropriated in accordance with the City Charter. The cost of the land and capital improvements was \$258,677.05. As of June 30, 1973, \$410,535.05 had been repaid to the City which is \$151,858.00 in excess of the land and capital improvements. The Farmers' Market is under the supervision of the Agricultural Commissioner who reports to the Chief Administrative Officer through the Director of Finance and Records.

The Ordinance that establishes the Farmers' Market is Ordinance #4719, series of 1939, and is amended at this date to contain 18 sections. The present Ordinance is known as Farmers' Market Ordinance, Bill #3916 Ordinance #3758 (series of 1939) and is prefaced as follows: "Authorizing the Chief Administrative Officer to establish a Farmers' Market and to direct the operations thereof; providing that said Market shall be financed by fees and appropriations; authorizing the Chief Administrative Officer to place the operation of said Market in any department under his jurisdiction, authorizing the Chief Administrative Officer to appoint a committee which will advise him as to the conduct of said Market; providing for the adoption and promulgation by the Chief Administrative Officer of rules and regulations to govern said Market; providing that a violation of the provisions of this ordinance shall constitute a misdemeanor and repealing Ordinances #2761 and 2784 (Series of 1939)."

The Farmers' Market is staffed with one Market Manager, Mr. Frank J. O'Connell, one Senior Clerk-Typist, and one Janitor as the permanent staff, and the Agricultural Department assigns one Inspector for mornings when the produce and products arrive. At times temporary employees are used but this is not a general practice. During the period from January through April, the permanent staff is adequate, but for the balance of the year during the seasonal months for produce, the permanent staff is inadequate.

The Farmers' Market is financed by fees charged for the use of the 108 stalls and for the tonnage that is brought for sale. The work unit is defined or represented by all the work necessary to maintain and operate one stall per day. The Farmers' Market Ordinance requires that fees charged shall be sufficient to pay the operating and maintenance costs, and in addition to repay the City and County within a reasonable time, any capital improvements at the Market. All funds from the budget requests past and present are used for the



FARMERS' MARKET (Continued)

operation and maintenance of the Market. This statement appears in the budget on page labeled index 241, sheet 1, Budget explanations, fiscal year 1973-74. This Committee is confused by the fact that the sum of \$151,858.00, which has been derived from the fees charged, has been paid to the City over the amount of the land and capital improvements cost. When compared with the actual condition of the Market and previous Grand Jury recommendations, this Committee cannot help but wonder what is meant by maintenance. Maintenance of the physical facilities or maintenance of profit at the cost of the upkeep of the Market?

The procedure used is that the grower presents a certificate to the Market Manager stating that he is a bona-fide grower and listing the commodities that he is growing. The Market Manager assigns him a stall space and collects his daily stall fee and the tonnage fee. The Market Manager obtains a list from each grower, issues a receipt for the fees collected and deposits the monies with the City Treasurer.

The 1971 and the 1972 Grand Juries made the same recommendations about maintenance and during the last year, the condition of the facilities has not been improved with the exception of the parking lines. These recommendations are as follows:

1. Painting the interior of the Administration Building which will prevent deterioration of the walls and woodwork.

2. Post holes and the use of removable posts at each end of the main drive would aid in the safe control of traffic and would also prevent the use of the main drive when the Market is closed.

3. Repair of the cyclone fence which prevents people from entering the Market at other than the proper entrances. The cyclone fence and the fence posts need repair to keep the Market safe and to efficiently control the entrance and exit of people who use the Market.

4. Traffic striping is urgently needed. The existing crosswalk clearance lane and parking lane striping throughout the Market is worn so that it is partially obliterated. This condition is leading to haphazard parking and the resultant loss of traffic control, and is a hazard to both motorists and pedestrians alike.

5. Several of the wooden partitions between the stalls and all wooden surfaces at the stall spaces need painting.

6. Many of the wooden partitions between the stalls are rotting at their bases and should be replaced to prevent injury as their present condition is dangerous.

In the 1972 Grand Jury report, the recommendation for the painting



FARMERS' MARKET (Continued)

of traffic lines was dropped but the following item was listed as #6.

6. Security when the Market is closed: Floodlighting on the poles at the ends of the Market would aid in keeping the Market secure at night. Uniform backing to enclose the rear of the stalls would aid in preventing pilferage at night when the Market is closed.

Since all of these items are under maintenance with the exception of any additions to the capital structures, it is difficult for this Committee to understand why they have not been attended to in view of the fact that the ordinance requires that the fee be in a sufficient amount to do so. In inspecting the budget we find that the sum of \$30.00 is requested for the maintenance of office equipment only and nowhere else is there a request for maintenance or even the materials. The only logical conclusion that can be arrived at is that the profit of \$151,858.00 has been made at the cost of maintenance and upkeep.

This Committee inspected the Farmers' Market on several occasions and talked to the customers requesting their opinions of the services rendered by the Market to the people of San Francisco. In the main, the customers were satisfied with the opportunity to purchase produce at a reduced cost compared with regular retail prices, but felt that the merchandise was not of the same quality. Other complaints were that many of the stall operators did not accept food coupons. This Committee noted during an inspection on Saturday, December 1, 1973, that many of the stalls displayed signs stating that they did not accept food coupons while other stalls displayed signs stating that they did, some in languages other than English. It was further noted that the signs that stated that the food coupons were not accepted were in stalls that did not display the operator's name or where he was from.

This same inspection disclosed that the cyclone fence referred to in the above recommendations was in much the same condition and that the parking lines had been repainted and were clear enough to be understood. The wooden backs to the stalls were rotting and disintegrating due to the exposure to the elements and lack of protective paint. Many of these will have to be replaced at a greater cost than it would have cost to paint them. The rest room area was usable but was not in the cleanest condition that could be expected considering the amount of use this area receives on a Saturday. There was a station wagon abandoned in the parking lot and another van with the windows broken out parked up against the rear of one of the stalls. When this was investigated, it was determined that the station wagon had been reported to the manager on several occasions but action had not been taken. The van was used as storage for the products being sold at the stall where it was parked. It was noted that one of the stalls was offering packaged goods for sale which is clearly in violation of the Ordinance Section 1, Bill #3916, Ordinance #3758 (Series of 1939), which clearly states that: The Market shall be available for the use of growers to sell their produce except that merchandise processed and packaged shall be excluded.



FARMERS' MARKET (Continued)

In the Annual Report of the Farmers' Market, there are 8 items listed in pressing need of repairs. The aforementioned six items are listed in addition to the following from the report:

1. Asphalt in parking lot is damaged and needs repair. There is a dangerous hole in the asphalt at the rear of stalls 22 and 24 that needs immediate repair.

2. There are 5 catch basins in the Market. All need cleaning. One catch basin at rear of stalls 62 and 64 will not drain off. This immediately floods during the rainy weather.

Provision was made for 130 stalls and truck park areas of which 108 are stalls. In the 1972-73 fiscal year, revenue was in the amount of \$60,373.75 reported from all sources in the budget. Expense for the operation, was in the amount of \$34,502.79 from the same source for the same period. This leaves a net profit of \$25,870.96.

According to the explanation page of the 1971-72 budget report, the following is stated: 18,275 stalls were rented and the tonnage fees amounted to the collectable fee for 4,210 tons of produce at the rates set. Hence, if we take only the October 1972 figure from the same source, this amounts to a stall fee of \$5,481.75 plus the tonnage fee of \$369. Using the tonnage fee of \$.75 per ton would amount to the \$369 from the total revenue as stated of \$5,850.75 and would certify the figures as quoted. Since there is a difference in stall fees from day to day, ranging from \$1.50 for Tuesday and Wednesday, \$2.00 for Thursday, \$3.00 for Friday, and \$4.00 for Saturday, it would be fair to say that the average stall fee would be \$2.75 per day per stall, times five days of the week, times four weeks of the month that the Market is open. This average fee times the amount of stalls would give a figure of \$297 per day or \$5,940 per month for the stalls only. This figure compared to the actual figure for revenue shows all too clearly that only ten-elevenths of the stalls are in use. Even if this figure is only an approximation, there still remains the tonnage fees to certify the correctness of the assessment. During the visits of this Committee, we never observed less than 125 to 200 persons shopping at any given time. Taking only 50% of this number and relating that figure to the times that the Market is open, we have 50% of 162 or 81 times 8 hours or 648 times five days or 3,240 per week times 4 weeks or 12,960 per month, times 12 months or 155,520 per year. This figure can be construed to mean that one sixth of the population use the facilities of the Farmers' Market. This would not be a fact as many of the month to month customers are the same so it would be more accurate to say that possibly one-twelfth of the population use the Market. Taking only the figure of 12,960 people as a basis and considering that if each of them spent only \$1.00, this would amount to \$12,960 per month gross sales to the operators. This Committee cannot help but wonder what provisions are made to collect the gross receipts, City and other use taxes.



FARMERS' MARKET (Continued)

The Farmers' Market had a budget request for the sum of \$34,275 for the 1971-72 budget and actual expenses amounted to \$33,464. Compared to the budget request, this is some \$2,228 more than was used. Salaries accounted for \$29,224 of the budget. In addition to the salaries, we find that the operating costs contain an item of \$438 for water which also appears as revenue in the Water Department's annual report. We do not, however, find in the budget the \$594 for electricity and the \$70 for gas that also appear as revenue in the Water Department report. We cannot help but wonder who the philanthropist is who is paying these amounts for the Farmers' Market.

In an interview with the Security Officer of the Farmers' Market, this Committee was given to understand that the Security Officer receives his permit to operate from the Market Manager and his fees are collectable from each stall, if the operator of the stall desires his services. When questioned about the abandoned auto, we were informed that the van was used as storage and that the station wagon had been reported to the Manager on several occasions.

This Committee therefore makes the following recommendations:

1. That the wooden partitions referred to in previous reports be replaced as the plywood is so warped and disintegrated that any effort to save them would be wishful thinking.

2. That means be explored to guarantee that the proper taxes are being paid.

3. Certain products because of their nature, for example dates, cannot be sold in bulk form. Any produce of like nature which has a tendency to stick together should be allowed to be sold in container form. Legislation that would permit this should be considered.

4. That all items referred to in previous Grand Jury reports be taken care of immediately or action be instituted to insure that upkeep and maintenance is taken care of.

5. That the Security Officer of the Market be placed under the jurisdiction of the Police Department as an appointed Special Police Officer so that he may perform his duties with the proper authority.

6. That the position of janitor be filled immediately.

7. That the rules for cleanliness in the stalls and drive-ways be enforced more vigorously.

8. That all stalls be required to accept food stamp coupons and those that refuse should be refused a permit to use the facilities of the Market.



## FARMERS' MARKET (Continued)

In conclusion, it appears that the management of the Farmers' Market or the Board of Supervisors, or both, are remiss in their responsibilities in allowing the condition of the Market to deteriorate, and by failing to provide for the upkeep and maintenance of the Market to a point where maintenance is no longer feasible in some areas where only capital repairs will suffice, at a much greater cost. This hardly reflects good management and this Committee firmly recommends that this situation and the practice of non-consideration for the physical facilities be corrected immediately.

## SAN FRANCISCO PARKING METER PROGRAM

The 1972 Grand Jury forwarded an audit report concerning the Parking Meter Program to the 1973 Grand Jury. There appeared to be certain discrepancies that required explanation. This Committee studied the contents of the audit report and conducted an investigation in depth over a period of one year. All possible areas of misappropriation were examined as well as the policy and procedure for the operation of the Parking Meter Program. Most of the areas referred to in the report have been eliminated or placed under a tighter control and security. Many of the recommendations made in the audit have already been implemented.

The Parking Meter Program is operated through the efforts of three departments. The Department of Electricity installs, maintains and repairs the meters both on the street and in the shop. Personnel from the Tax Collector's office collect the revenue from the meters and deposit this revenue in the general fund. The Police Department enforces the meter regulations through the efforts of its parking controlmen. All of these departments have been investigated to determine if the operations of any of these departments reflected the reasons for the discrepancies. Repairmen both on the street and in the shops have been observed in the course of making repairs and they conduct their duties in a very efficient manner. The collectors make their collections in a manner that is unique to watch with the older style meters, inasmuch as they wind the meters while the coins are dropping into the collection tanks. Each collector services 1,000 meters even though the manufacturers recommend 750 meters per collector. The collection tanks have been redesigned to replace the flutter valve with a diaphragm type, which is the only type of valve that coins cannot be removed through. With the new type collection tanks and meters with the vaults, the tank trips the vault when it is in proper position and in direct contact with the vault. This requires more time for the collector to make his collections and as a result, more collectors will have to be employed. The addition of a collection foreman has improved security and the collection proceedings. The meters are collected every three collection days and the springs are



## PARKING METER PROGRAM

wound at the same time. The Parking Controlmen are to be seen regularly on their beats marking and citing vehicles parked over the parking limit. There are approximately 70 parking controlmen on the street every day. Their duties are not confined to meters alone, but to side streets, zones, and other areas of restricted parking. During the tow-a-way times, the parking controlmen are engaged in the tow-a-way program. Their efforts from 7 a.m. to 9 a.m. and again from 4 p.m. to 6 p.m. are confined to the tow-a-way program and this takes many off the meter program. This Committee has noted that there is little meter control before nine a.m. in non-tow-a-way areas. The number of citations issued for this period will bear this out. In the afternoon period, there are more citations issued for meter violations which confirms that more attention is given in the afternoon than in the morning. This Committee cannot find any reason not to commend the collectors or the parking controlmen for their efforts in the performance of their duties other than that damaged or jammed meters are not being reported. Those meters that can be observed to be damaged or jammed are reported, but the unwound and the non-operative meters which will show the violation flag are very hard to find. Even the repairmen could feasibly walk by these meters without knowing that they were inoperative. This is also true of the controlmen and the collectors.

After an intensive investigation in depth, the following reasons for the discrepancies became apparent:

1. Non-revenue time on meters.
2. Non-revenue productive meters due to unwound springs, jamming, damage, and those meters in areas where the limit is suspended, i.e., the area around the opera house, construction sites, BART construction areas, etc.
3. The method employed to find damaged or inoperative meters.
4. Lack of a statistical center or control, so that operations are co-terminus.

In an effort to establish a means of determining the revenue of each meter the following format was adopted:

1. The meters on tow-a-way streets have a revenue cycle or period of only six hours per day due to the tow-a-way times.
2. Since parking controlmen are working tow-a-way during these periods, this affects non-tow-a-way streets by taking another two hours off of the revenue period of the non-tow-a-way meters.
3. The meter revenue period is from 7 a.m. to 6 p.m., less



## PARKING METER PROGRAM (Continued)

four hours on tow-a-way streets, leaving seven hours with another hour allowed for non-attendance in the meter stall. The same would apply in the morning on non-tow-a-way streets, leaving a revenue period of only two hours less since the afternoons are fairly well patrolled. Meters on non-tow-a-way streets would then have a revenue period of nine hours less the hour for non-attendance or an eight hour period. A further adjustment of one hour in both cases for inoperative meters reduces the period to six hours on tow-a-way streets and seven hours on non-tow-a-way streets. Taking a mean average of six and one half hours for all meters the results are eloquent enough to speak for themselves.

4. A further factor is the amount of damaged, jammed or inoperative meters. During the audit period there were 14,149 meters in operation and 42,000 repairs were made to the same number of meters. This would average 3 1/2 repairs per meter. This, however, is not accurate since many meters did not require service, only the same group within the same area needed service as evidenced by the daily repair sheets. With a statistical center the repairs and the area of repairs would be apparent from day to day and this could be evaluated and means could be taken to eliminate this problem. The following facts will support this view:

<u>DATE</u>	<u>NUMBER OF METERS</u>	<u>YEARLY REVENUE</u>	<u>NUMBER JAMMED</u>	<u>YEARLY REV. PER METER</u>
1966-67	12,754	\$1,495,362	4,596	\$117.32
1971-72	14,149	1,437,009	12,728	101.56

From these facts, we can deduce that this alone offers a great possibility for the difference in revenue per meter. The number of meters that were in operation in 1972 over the number that were in operation in 1967 amounted to 1,395 and they generated \$58,353 dollars less revenue, or a difference of \$15.76 per meter. These figures can be assessed in another way, by dividing the yearly revenue per meter against the 305 revenue days and these figures will give a surprising revenue per meter of \$.322 per day per meter. When this is compared with the meter potential revenue of six and one half hours at ten cents per hour, it becomes painfully apparent that the meters are producing less than fifty percent of their revenue potential. A further assessment of this loss by the same criteria would mean that each meter is capable within the revenue period of producing \$.65 or \$9,196.86 per day times the 305 revenue days or a total of \$2,805,039.85. This is a far cry from the actual revenue of \$1,437,009 that was reported in the 1972 report. The difference of \$1,368,030.25 would appear as a great discrepancy that required explanation. This in effect says that each meter is only occupied for the period of three hours and twelve minutes of the day and brings in only thirty-two and 2 tenths cents per hour. Our energies were devoted to finding the other three hours and 3 tenths of non-revenue productiveness, or as stated



PARKING METER PROGRAM (Continued)

before, \$1,368,030.25.

To determine the cause, this Committee made exhaustive investigation and found the following factors, other than jamming that affect the revenue from the meters:

1. The use of pennies will wind down the springs and the meters will become inoperative and non-revenue producing. These meters are wound every third collection day and remain in the inoperative condition until the next collection day.

2. The meter repairmen making their rounds have no way of knowing unless the meter has been tagged, which ones are unwound. A comparison of the 1971-72 against the 1972-73 repair sheets confirms this fact as well as it points out the fact that another means of determining the operative value of the meter must be established.

Repaired Meters

	Meters Repaired 1972	Meters Reported	Meters in Operation	Meters Repaired 1973	Meters Reported	Meters in Operation
April	12,020	433	13,963	10,563	390	13,871
May	16,583	268	14,035	12,404	404	13,803
June	12,872	727	14,153	11,396	260	13,708
July	14,843	308	14,803	12,204	447	15,239
Aug.	15,514	535	13,990	12,833	603	15,368
Sept.	12,017	676	13,875	11,404	575	14,364
Oct.	10,050	1,556	13,884	13,273	579	14,875

1971 - Meters Repaired 80,597

1972 - Meters Repaired 93,899, of which 4,503 were reported, with 98,703 in operation.

1973 - Meters Repaired 84,077, of which 3,258 were reported, with 101,228 in operation.

These facts speak all too eloquently for the establishment of another means of keeping track of the meters that are non-operative and the attendant cost would be more than compensated for by the increased revenue.

During the same period this Committee carried on investigations of collections and repairs as well as of the parking controlmen and found no evidence of misappropriation on the part of those involved in collection, counting procedures, repairs, or enforcement. In recent months, the process of marking tires and returning to cite overtime parkers has gone far to discourage the jamming of meters. The fact still remains that the collectors, controlmen, and repairmen are only reporting a very small percentage of the non-operable meters.



PARKING METER PROGRAM (Continued)

This Committee concurs in the finding of the audit firm that the repair zones and the collection zones be co terminus, but we would go further and recommend that all zones should be co-terminus with a statistical center to control all zones, thus enabling improvements to be made in the entire program.

Another factor regarding the low revenue appears to be the method of disposal of foreign coins. It has been stated that Canadian dimes are disposed of for the sum of \$4.50 per pound and all other foreign coins at the sum of \$2.50 per pound. In 1971-72 the sum of \$70.00 was recovered in this manner. We feel that this practice should be reassessed in view of the fact that Canadian dimes have the same value as American dimes, if not more, and they should be exchanged rather than sold outright, thus providing greater returns. Seventy dollars, even at \$3.50 per pound, represents twenty pounds.

Many of the items referred to in the audit report have been corrected and some of the recommendations have been implemented. This Committee therefore makes the following recommendations:

1. Since enforcement is in the hands of the Police Department and the parking meter citation and parking controlman citation program is a \$2,800,000 program, when it is considered that each parking controlman and motorcycle costs approximately \$11,000 per year and each parking controlman returns fines in the approximate amount of \$40,000 to \$43,000 per year, and further that the greater portion of the parking meter collections revert to the Police Fund; it is therefore recommended that the entire meter program be put under the direction of the Director of Traffic and that he be given sufficient staff to establish a control and statistical center. It is further recommended that all associated operations be made co-terminus so that repairs may be registered and statistics be assessed at regular intervals rather than in a yearly report, thus adding revenue and lowering the cost of the operation to the taxpayer.

2. That controlmen, collectors and repairmen take great pains to report inoperable meters to such center as is established, or in the absence of the center, that they more diligently and vigorously ascertain the working status of the meters under their scope of responsibility.

3. That absent the above, a motorcycle patrol be established to patrol the meters for the two-fold purpose of discovering inoperative meters and to discourage vandalism.

4. That periodic surveys be made of each meter to determine its working condition.

5. That foreign coins be exchanged rather than sold.



PARKING METER PROGRAM (Continued)

6. That more meter collectors be employed to reduce the ratio of one to one thousand to a ratio of one to eight hundred, thus allowing time for meter checks.

In conclusion, this Committee still finds it hard to understand, even though the meters are such that they do not give indications of inoperativeness, how the employees of three departments may all pass a meter and have no current knowledge of the condition of that meter.

Mrs. Artie L. Deo

Lawrence M. Berrios, Chairman



ERRATA

- 1) Page 45, line 1. Delete "Assesor" (sic) and insert "Assessor".
- 2) Page 52, line 28. Delete "additonal" (sic) and insert "additional".
- 3) Page 70, line 25. Delete "continupus" (sic) and insert "continuous".
- 4) Page 70, line 26. Delete "ie" and insert "be".
- 5) Page 76, line 34. Delete "Enviornmental" (sic) and insert "Environmental".
- 6) Page 83, line 3. Delete "Authroity" (sic) and insert "Authority".
- 7) Page 97, line 3. Delete "ity" (sic) and insert "City".
- 8) Page 126, line 39. Delete "exisiling" and insert "existing".
- 9) Page 126, line 42. Delete "unknow" (sic) and insert "unknown".
- 10) Page 139, line 4. Delete "propulation" (sic) and insert "population".
- 11) Page 140, line 9. Delete "ostracised" (sic) and insert "ostracized".
- 12) Page 140, line 11. Delete "ostracised" (sic) and insert "ostracized".
- 13) Page 144, line 35. Delete "Park Controls" and insert "Park Patrols".
- 14) Page 147, line 8. Delete "mjor" (sic) and insert "major".
- 15) Page 154, line 6. Delete "blockman" and insert "blockmen".
- 16) Page 156, line 26. Delete "economical" and insert "economically".
- 17) Page 156, line 27. Delete "Civi" (sic) and insert "Civil".
- 18) Page 156, line 28. Delete "tha" (sic) and insert "that".
- 19) Page 156, line 30. Delete "biddi" (sic) and insert "bidding".
- 20) Page 157, line 22. Delete "it's" and insert "its".
- 21) Page 158, line 12. Delete "1872-73" and insert "1972-73".
- 22) Page 158, line 21. Delete "Codeing" and insert "Coding".
- 23) Page 160, line 18. Delete "cuuld" (sic) and insert "could".



ERRATA (Continued)

- 24) Page 160, line 37. Delete "replacemt" (sic) and insert "replacement".
- 25) Page 160, line 39. Delete "ateempt" (sic) and insert "attempt".
- 26) Page 162, line 10. Delete "publi" (sic) and insert "public".
- 27) Page 167, line 3. Delete comma after "Schools" and insert period.













